

STATE OF CALIFORNIA  
INTEGRATED WASTE MANAGEMENT BOARD  
DIVERSION, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA JR., CALEPA BUILDING  
COASTAL HEARING ROOM  
1001 I STREET, 2ND FLOOR  
SACRAMENTO, CALIFORNIA

WEDNESDAY, MARCH 12, 2003  
9:10 A.M.

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CERTIFIED SHORTHAND REPORTER  
LICENSE NUMBER 10602

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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Nevada-Unincorporated; Orange County: Dana Point, La Habra, Laguna Hills, Laguna Niguel, Mission Viejo, Orange, Orange-Unincorporated, San Clemente, San Juan Capistrano, Stanton, Tustin; Placer County: Auburn, Lincoln, Rocklin, Roseville; Plumas County: Portola; Riverside County: Banning, Blythe, Calimesa, Desert Hot Springs, Lake Elsinore, Murrieta, Perris; Sacramento County: Galt, Sacramento; San Benito County: San Benito County Integrated Waste Management Regional Agency; San Bernardino County: Adelanto, Apple Valley, Chino Hills, Loma Linda, Needles, Ontario, Rancho Cucamonga, Redlands, San Bernardino-Unincorporated, Upland; San Diego County: Chula Vista, Lemon Grove, Oceanside, San Diego, San Diego-Unincorporated, Santee; San Francisco County: San Francisco; San Joaquin County: Escalon, Tracy; San Luis Obispo County: El Paso De Robles; San Mateo County: Brisbane, Daly City, Foster City, Pacifica, Portola Valley, Redwood City, San Carlos, San Mateo, San Mateo-Unincorporated, South San Francisco; Santa Barbara County: Guadalupe; Santa Clara County: Gilroy, San Jose, Shasta County: Fairfield, Solano-Unincorporated, Vallejo, Sonoma County: Sonoma County Waste Management Agency; Tehama County: Tehama County Sanitary Landfill Regional Agency; Tulare County: Exeter, Farmersville, Tulare-Unincorporated; Ventura County: Camarillo, Fillmore, Port Hueneme, Santa Paula; Yolo County: Woodland; Yuba/Sutter County: Yuba/Sutter Regional Waste Management Authority -- (March Board Item 65)	93
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1 PROCEEDINGS

2 CHAIRPERSON JONES: Okay. Welcome, everybody,  
3 to the March 12th meeting of the Diversion, Planning and  
4 Local Assistance Committee.

5 Chair Linda Moulton-Patterson will be just a  
6 little bit late but she will be here.

7 Jeannine, could you go ahead and call the roll?

8 SECRETARY BAKULICH: Medina?

9 COMMITTEE MEMBER MEDINA: Here.

10 SECRETARY BAKULICH: Peace?

11 COMMITTEE MEMBER PEACE: Here.

12 SECRETARY BAKULICH: Jones?

13 CHAIRPERSON JONES: Here.

14 For those of you who have cell phones if you could  
15 turn them to vibrate or turn them off during the meeting,  
16 we would appreciate it.

17 There are speaker slips in the back of the room.  
18 If you want to fill them out if you want to speak to an item  
19 and then give them to Ms. Bakulich over here, she'll get  
20 them up to me.

21 We have Mr. Schiavo, deputy director.

22 Oh, any ex parte, Members?

23 Ms. Peace?

24 COMMITTEE MEMBER PEACE: No, I'm up to date.

25 CHAIRPERSON JONES: Mr. Medina?

1 COMMITTEE MEMBER MEDINA: None to report.

2 CHAIRPERSON JONES: And I'm up to date.

3 Mr. Schiavo.

4 DEPUTY DIRECTOR SCHIAVO: Good morning.

5 Pat Schiavo, Diversion, Planning and Local Assistance  
6 Division.

7 To give you a brief update regarding the status of  
8 several of our programs, the first being the state agency  
9 program, otherwise called AB 75.

10 The 2001 reporting process is completed. We  
11 submitted our latest updated statistics to all the Board  
12 members and we did not receive comment so we assume that  
13 everybody was fine with that.

14 The 2002 reporting process will begin April 1st.  
15 We have received 46 reports from state agencies to date.  
16 There are a number of jurisdictions that have begun the  
17 process and so we'll give you a further update in the next  
18 monthly report.

19 Regarding the local government program and  
20 the performance there, there's a total of about 445  
21 jurisdictions. We have had, the Board approved 198 of those  
22 as being 50-percent or better in implementing programs.  
23 There's been 50 jurisdictions considered good-faith-effort  
24 jurisdictions.

25 Regarding time extensions, 112 jurisdictions

1 received time extensions.

2 18 jurisdictions received Alternative Diversion  
3 Requirements, and this is not including what you're going  
4 to be hearing today nor next month.

5 Next month we anticipate probably about  
6 12 jurisdictions that were just about done with this phase  
7 of the program. And that in the future you'll be hearing  
8 the status of what's going on regarding the time-extensions  
9 jurisdictions.

10 Regarding the education program, we anticipate  
11 next month, perhaps May, we'll bring back the winners,  
12 our proposed winners of the grant program, the evaluation  
13 process is just now under way, so we'll keep you updated  
14 on that. You'll be receiving a formal report.

15 Regarding the disposal reporting system, staff  
16 conducted a couple of workshops last month or last week:  
17 one in Southern California and the other in Northern  
18 California. Both were well attended. It was a preliminary  
19 workshop again just to try to get input from the local  
20 jurisdictions, haulers, consultants, and other interested  
21 parties regarding how we can improve the system.

22 So again, it's very early in the process but  
23 we felt that it was a very valuable workshop experience  
24 in both Southern and Northern California, so that was, went  
25 real well.

1           And then today beginning with our first item  
2   you'll be receiving an update regarding our disposal  
3   reporting site visits that we perform quarterly; and I might  
4   as well go ahead. If you're ready, we'll go ahead and start  
5   the first item.

6           CHAIRPERSON JONES: Okay. Do you want to announce  
7   the single stream workshop?

8           DEPUTY DIRECTOR SCHIAVO: Sure, I'll go ahead and  
9   do that.

10          On April 2nd -- this is a noticed event for all  
11   board members to attend as well -- we are planning on  
12   conducting a single-stream workshop. We -- the proposal is  
13   to have two or have a couple of panels in the morning.  
14   One would be with local jurisdictions, their local hauler  
15   and processors, to discuss the benefits and what they went  
16   through in developing the single-stream effort.

17          And then after that we have another panel that  
18   would consist of technical experts in the field with  
19   equipment manufacturers, exporters, paper manufacturers,  
20   processors. Again, some of the haulers that are impacted  
21   with single-stream issues and just delve into some of  
22   the major constraints and barriers we're facing. How to  
23   overcome those, some of the issues that we're facing as well  
24   as how successful the single-stream operations have been  
25   throughout the state.

1           So again, that's April 2nd. It's scheduled from  
2   9:00 to 3:00, we'll be flexible regarding the time, so...

3           CHAIRPERSON JONES: I think it's important to note  
4   this is not going to be a debate about, you know, single  
5   stream. One of the reasons that the committee decided  
6   to have this was that so many jurisdictions in their SB 1066  
7   extensions had identified single stream as an improvement to  
8   their existing recycling programs, want to put it in but  
9   some jurisdictions walk away from it after the system is put  
10   in place and contamination is an issue of garbage going into  
11   recycling bins and there's a role there for city #  
12   governments and county governments to stay involved.  
13   Sometimes it means changing the size of the container, but  
14   this will not be a debate on single stream.

15           We're doing this because so many jurisdictions  
16   have identified it. I think we think that it is, I know  
17   I think that it's the next step in getting this to  
18   50 percent. I think most people do. But we need to talk  
19   about those, you know, what works and what doesn't work  
20   so we can continue to offer cities as much help as we can  
21   when they're looking at evaluating these programs, so  
22   I appreciate that Mr. Schiavo.

23           Members, anything before we start the first item?

24           DEPUTY DIRECTOR SCHIAVO: Okay. We'll start with  
25   our first item and Dianne Range will present this item. As

1 I mentioned, this is an update on the findings of our  
2 disposal facility site visits.

3 You'll have a slide show and I believe you also  
4 have handouts on this.

5 MS. RANGE: Thank you.

6 Good morning. I'm going to give you today  
7 an update on what the disposal reporting staff have been  
8 doing for the last couple of years. And it's been somewhat  
9 publicized, but not very often do we come back and remind  
10 everybody that this is what's continuing, that's what we're  
11 continuing to do. In fact, this week is a standard survey  
12 week and that's where a lot of the staff are today.

13 CHAIRPERSON JONES: Dianne, what does that mean,  
14 "a standard survey week"?

15 MS. RANGE: I'm going to go into that right now.

16 CHAIRPERSON JONES: Okay, good.

17 MS. RANGE: Jurisdictions are required to use  
18 disposal tonnages reported to the Disposal Reporting System  
19 when calculating their diversion rates to demonstrate  
20 diversion goal achievement.

21 PRC 41821.5 requires disposal facility operators,  
22 solid-waste haulers, transfer-station operators, and  
23 counties to gather information on the jurisdiction of origin  
24 of the solid waste they deliver to all Board-permitted,  
25 solid-waste disposal facilities. Operators at permitted

1 disposal facilities are required to conduct a week-long  
2 survey during each quarter.

3 This is known as a waste origin survey and this is  
4 what I referred to as the standard survey week. And its  
5 purpose is to determine which city, county, or regional  
6 agency the waste was produced.

7 This information is collected at the facility from  
8 the waste-hauler, whether it be a commercial hauler whose  
9 primary business is hauling waste from a residence or  
10 a business, or from self-haulers, a business or individual  
11 which generates waste and then delivers it to a disposal  
12 facility, but whose primary business is not collecting and  
13 hauling waste. Self-haulers include roofers, landscapers,  
14 and homeowners and the like.

15 The data collected by operators and used to  
16 allocate waste to the jurisdictions for the quarter, the  
17 quarterly standard survey week is, it's a minimum for which  
18 jurisdictions need to, for operators needed to conduct.  
19 A lot of operators are now going toward conducting these  
20 surveys on a daily basis or more frequently than the  
21 quarterly survey week period. The quarterly survey week  
22 period are specified in the disposing quarterly regulations  
23 and are, they fall on the 8th through the 14th of March,  
24 June, September and December. Some counties or regional  
25 agencies may require that operators conduct more frequent



1 origin surveys such as daily surveys and might request  
2 an alternative survey week period, perhaps another week  
3 in that quarter that's more representative of waste loads  
4 coming to the facility. An alternative survey week period  
5 must be approved by board staff. However, more frequent  
6 survey week periods are allowed and do not require board  
7 staff approval.

8           Since the DRS was implemented, the Board, cities,  
9 counties, and regional agencies, as well as disposal  
10 facility operators have expressed concern about the accuracy  
11 of the data being collected and we're all working together  
12 to try to find ways to get the most accurate data.  
13 For example, there are issues on obtaining information on  
14 where the waste actually comes from. More often haulers  
15 have provided information on where they are from, where they  
16 live, that is, from rather than the waste that was picked up  
17 and where that was located, which could be in an entirely  
18 different location. However, accurate disposal numbers are  
19 the key to the disposal reporting system as they translate  
20 to jurisdiction diversion numbers.

21           The existing Disposal Reporting System regulations  
22 are now being revised to improve the accuracy of the data.  
23 Comment on the hearing on the Disposal Reporting System  
24 where many of such complaints were raised, the Board  
25 directed staff to begin facility site visits to determine

1 whether disposal facility operators are asking haulers  
2 questions on where the waste loads are from. Landfill and  
3 transfer-station facilities are selected randomly for these  
4 visits. They are unannounced. That is that nobody has  
5 really made notice ahead of time before going to the  
6 facilities. There may be occasions where local enforcement  
7 agencies do know that; and to the extent that we try to keep  
8 it quiet, that's how we operate.

9           And staff pose as local self-haul residents:  
10 they drive pickup trucks with waste to the gatehouse.  
11 The transaction is observed and reported and a notice made  
12 of whether the attendant does ask the waste-origin question  
13 and, if so, what the question was, and any other relevant  
14 information.

15           Before the end of the visit Board staff gives  
16 the gatehouse attendant a letter on the survey observations.  
17 If the waste-origin questions are asked, the letter thanks  
18 them. If the origin questions were not asked, staff  
19 requests to speak to the site manager and leaves a letter  
20 citing a regulation stating that no questions were asked and  
21 requesting an explanation of the facility's procedures for  
22 obtaining the waste-origin information. Facilities where  
23 the attendant did not ask waste-origin questions are then  
24 either revisited later in the survey week or at some future  
25 time for some future surveys.

1           Data on these facility visits are being compiled  
2   and are collected in a database and they're used to  
3   determine where future facility site visits are needed.

4           Today's staff have completed a total of 390  
5   facility site visits. These site visits include 178  
6   disposal facilities of which 83 have been transfer stations  
7   and 95 are landfills.

8           Staff are finding that the site visits seem to be  
9   beneficial in reminding attendants and operators of the  
10   regulations and overall we are finding facility attendants  
11   on follow-up visits are asking the waste-origin questions.  
12   However, we see still a lack of complete compliance and  
13   there may be some reasons given.

14           In some cases attendants have said there are long  
15   lines at the gatehouse, or the computer has not allowed them  
16   to get the information, or there are computer glitches of  
17   some sort.

18           So even though we have increased compliance  
19   we're not seeing 100 percent yet.

20           We've done an analysis of 42 facilities that were  
21   selected because they were visited on four different  
22   occasions and we wanted to determine whether there was  
23   a significant trend in compliance. And as you can see,  
24   there's, the dotted line shows the noncompliance rate  
25   decreases as the solid blue line showing that the compliance

1 rate increases over the number of visits. So the first  
2 visit from the fourth visit is dramatically different.

3 And here's a graph that shows by region the  
4 compliance levels for each of the years; and as you can see  
5 that there does -- even though there is some fluctuation,  
6 there does seem to be a continued trend towards compliance  
7 for all of the areas.

8 So from these site visits we're finding that  
9 operators are very cooperative and they want to comply with  
10 waste-origin surveys. They are making changes to improve  
11 their compliance. Some of the improvements they make are  
12 retraining gatehouse staff, improving software to require  
13 origin information before a receipt can be printed out, and  
14 by conducting their own random visits.

15 We're noticing an improvement in the way questions  
16 are asked in order to obtain the most accurate information.  
17 Many gatehouse staff have asked in the past where the hauler  
18 is from, not where the waste was collected; and this can be  
19 different, as I said before. For example, a roofer or  
20 a landscaper provides the company address of the company  
21 rather than location of where the waste was picked up.  
22 And we are finding that many operators on their own have  
23 decided to conduct daily surveys of waste origin to improve  
24 accuracy.

25 Staff are involved in several ways to improve

1 the accuracy. As I mentioned before, we're going through  
2 the disposal reporting regulations and we're trying to  
3 revise those areas to improve accuracy for all the different  
4 participant areas focusing on training for participants that  
5 would be haulers and operators and agencies as well as,  
6 as well as District and jurisdictions.

7 We are working now on putting together a Web-based  
8 training module that will be developed and be made available  
9 for all of the different participants.

10 And we're continuing to do random facility visits  
11 because we do find that, over time, there is an increasing  
12 trend toward compliance.

13 And we again publish the result of those visits  
14 in InfoCycling from time to time.

15 COMMITTEE MEMBER PEACE: Excuse me, Dianne, what  
16 is InfoCycling?

17 MS. RANGE: That's our information newsletter to  
18 Mobile jurisdictions and a lot of that information  
19 we collect on our own from disposal reporting or from the  
20 office of local assistance. We get a lot of articles from  
21 them about jurisdictions and programs that are being  
22 implemented or significant issues or items that are being,  
23 that are going on currently. And it's quarterly.

24 CHAIRPERSON JONES: Do you, does this go out by  
25 e-mail or...

1           DEPUTY DIRECTOR SCHIAVO: Yeah, it goes out  
2 through e-mail, I believe.

3           MS. RANGE: Yeah, it's hard copy and e-mail and  
4 we have it on the Web.

5           CHAIRPERSON JONES: You might want to include  
6 the Board offices on your mailing list. I don't think  
7 I've ever -- do I get it? I don't think I do.

8           MS. VAN KERK: Actually, we have been  
9 delivering some hard copies upstairs but if you prefer to  
10 get an e-mail, we can, we can shoot an e-mail your way.  
11 I would say that  
12 90 percent of the people get it via e-mail or fax and we are  
13 down to about 10 percent of the people getting hard copy.

14          COMMITTEE MEMBER MEDINA: I had a question  
15 regarding the number of sites visited. It says that there's  
16 a total of 390 facility site visits, 178 disposal  
17 facilities, does the 390 include the 178 plus others?

18          MS. RANGE: Yes, it does.

19          COMMITTEE MEMBER MEDINA: What else does it  
20 include other than the 178?

21          MS. RANGE: It includes transfer stations as well  
22 as landfills.

23          COMMITTEE MEMBER MEDINA: I understand that but  
24 you visited 390 total facility site visits.

25          MS. RANGE: That's a total.

1 COMMITTEE MEMBER MEDINA: You visited the 178  
2 disposal facilities more than once?

3 MS. RANGE: Yes, numerous times, yeah.

4 CHAIRPERSON JONES: Could the record show that  
5 Chairman Moulton-Patterson is here.

6 (Linda Moulton-Patterson is present.)

7 CHAIRPERSON JONES: Go ahead.

8 MS. RANGE: Any other questions, information,  
9 anything else I can give you, any information about the,  
10 like I said, the staff are currently out today on those  
11 facility site visits and we're finding, you know, continued  
12 high levels of compliance thus far.

13 CHAIRPERSON JONES: Okay. Obviously --

14 Any questions?

15 Obviously this is a huge issue since we're working  
16 on figuring out the next step of this: Cities and counties  
17 both benefit and get killed depending upon where waste gets  
18 assigned, so it's real critical. We've got to be careful --  
19 and I know that staff has -- in making sure that the message  
20 is out there that this is a tool that doesn't need to be  
21 super burdensome.

22 I get scared when I hear people thinking about  
23 doing full manifest for every load. I think it's, I think  
24 simply identifying, you know, what portion of the load comes  
25 from what jurisdiction will satisfy the city's needs and

1 everybody's.

2           One question I have, though, you do a lot of work  
3 at the facilities and you explain to them the law and this  
4 and that. Do you have a, do you have like a one-pager that  
5 says: This is what the law requires; this is why we need  
6 the information; these are some questions you can ask  
7 to get --

8           MS. RANGE: Yes, that's included in the letter  
9 that's given to them. Not only did the staff go to the  
10 gatehouse attendant and talk to them but they also give them  
11 a letter that sets the background for why they're required  
12 to do what we are trying to observe that they're doing.

13           CHAIRPERSON JONES: Go ahead.

14           Identify yourself.

15           MS. VAN KERK: I would also like to say that  
16 we have had a request for some kind of a Board handout to be  
17 given to the drivers so that they understand why it's  
18 important that they provide accurate information, and I've  
19 received a draft of that from staff, so we'll be working on  
20 that as well.

21           CHAIRPERSON JONES: That's a good idea. I think  
22 if you did one for the drivers and one for the gate  
23 attendants. Other than the letter of when you inspect but  
24 something to give to each of these facilities -- maybe a  
25 handful of them that they can give out because gatetenders



1 do change -- and I would suggest doing it in two languages,  
2 especially the hauler should be in Spanish and in English.  
3 That would be really valuable I think.

4 Members. Okay.

5 COMMITTEE MEMBER MEDINA: I agree very much with  
6 you.

7 CHAIRPERSON JONES: Okay. Thanks, Dianne.

8 DEPUTY DIRECTOR SCHIAVO: The next item is 36  
9 or Committee Item C, and this is: Consideration of award  
10 categories, eligibility requirements, and selection criteria  
11 for the 2002 State Agency Recycling Recognition Awards  
12 we otherwise call the STARR awards.

13 We've gone through this process before: The new  
14 or the proposed process is going to mirror a lot of the  
15 past.

16 And Trevor O'Shaughnessy will make this  
17 presentation.

18 MR. O'SHAUGHNESSY: Good morning, Chair and  
19 members of the committee. My name is Trevor O'Shaughnessy  
20 of the State Organization and Facility Assistance Section.

21 This item before you requests approval of the  
22 award categories and selection criteria for the 2002  
23 State Agency Recycling Recognition Award or STARR. This is  
24 the second STARR award cycle recognizing state agencies and  
25 facilities for the waste reduction efforts.

1           Recognizing the length of today's agenda, this  
2 concludes staff's presentation but we're available for any  
3 questions that you may have.

4           COMMITTEE MEMBER MEDINA:   Wonderful.

5           I'd like to move Resolution 2003-150.

6           COMMITTEE MEMBER MOULTON-PATTERSON:   Second.

7           CHAIRPERSON JONES:   Got a motion by Member Medina,  
8 second by Chair Linda Moulton-Patterson.

9           Would you call the roll?

10          SECRETARY BAKULICH:   Medina?

11          COMMITTEE MEMBER MEDINA:   Aye.

12          SECRETARY BAKULICH:   Moulton-Patterson?

13          COMMITTEE MEMBER MOULTON-PATTERSON:   Aye.

14          SECRETARY BAKULICH:   Peace?

15          COMMITTEE MEMBER PEACE:   Aye.

16          SECRETARY BAKULICH:   Jones?

17          CHAIRPERSON JONES:   Aye.

18          On consent, Members?

19          COMMITTEE MEMBER MEDINA:   Yes.

20          CHAIRPERSON JONES:   Thank you.

21          All right.   Next item, Mr. Schiavo.

22          DEPUTY DIRECTOR SCHIAVO:   I don't think we can top  
23 that one.

24          37, D, is:   Consideration of the adequacy of the  
25 five-year review report of the countywide integrated waste

1 management plan for the County of San Diego; and  
2 Zane Poulson will speak to that.

3 MR. POULSON: Good morning, Chairman Jones and  
4 Committee Members.

5 The San Diego Association of Government, or  
6 SANDBAG acting as the local task force, has submitted  
7 a report of its five year review of the candlelight  
8 integrated waste management plan. In concurrence with the  
9 County SANDBAG determined that certain revisions to the plan  
10 are necessary at the time of the review. The necessary  
11 revisions include revisions to the unincorporated County's  
12 household hazardous-waste elements, an unincorporated  
13 County's nondisposal facility element, the countywide  
14 summary plan, and countywide element.

15 The Board has evaluated the County's review and  
16 report and determined that the Board, that the required  
17 revisions to the aforementioned elements have been addressed  
18 and includes a time line for the County to amend the four  
19 planning elements that need revisions.

20 Therefore, the staff's recommendation that the  
21 Board approve the County five-year review report.

22 This concludes my presentation. Thank you.

23 CHAIRPERSON JONES: Questions, Members?

24 Ms. Peace.

25 COMMITTEE MEMBER PEACE: Yes, I have a question:

1           What is a tentatively reserved disposal site  
2 facility? I hear that they need to update their sighting  
3 plan to incorporate tentatively reserved disposal site  
4 facilities. What are those?

5           MR. POULSON: They're working on certain landfills  
6 that they're trying to site at this time, and so they have  
7 already reserved the area. One of them that they're working  
8 on is one that is included on an Indian reservation, so they  
9 were kind of touchy on how they worded that. It's not  
10 really one of their own but it's surrounded by the County.

11           COMMITTEE MEMBER PEACE: Okay. I would like to  
12 move Resolution No. 2003-151, consideration of the adequacy  
13 of the five-year review report and the countywide integrated  
14 waste management plan for the County of San Diego.

15           COMMITTEE MEMBER MOULTON-PATTERSON: Second.

16           CHAIRPERSON JONES: Motion by Member Peace  
17 seconded by Chair Moulton-Patterson.

18           Substitute the previous roll? On consent?

19           Thank you, Members.

20           Before we go to the next item, would you give us  
21 an update on any pulled items or stuff. I'm sorry, I  
22 apologize. I forgot to do that.

23           DEPUTY DIRECTOR SCHIAVO: That's okay. I was  
24 going to do that as we got to them but we'll do it now.  
25 Items No. 53, City of Brisbane, Committee Item T.

1 CHAIRPERSON JONES: Which is T?

2 DEPUTY DIRECTOR SCHIAVO: Yeah.

3 And then Item 54, Committee Item U, which is  
4 Amador County.

5 Both of them have submitted their petitions to us,  
6 so we can now pull those.

7 CHAIRPERSON JONES: That's it?

8 DEPUTY DIRECTOR SCHIAVO: Yeah.

9 CHAIRPERSON JONES: Thanks, Mr. Schiavo.  
10 Item E, number 38 in your program.

11 DEPUTY DIRECTOR SCHIAVO: Okay. We'd like to  
12 combine Items 38, 39, and 40, and these are consideration of  
13 biennial review findings for the Cities of Yucaipa, Fontana,  
14 and Highland, all in San Bernardino County; and Rebecca  
15 Brown will present.

16 MS. BROWN: Good morning, Committee Members.

17 The Cities of Fontana and Yucaipa originally  
18 submitted generation studies for 1999 and 2000 and the City  
19 of Highland submitted a generation study for 2000. As part  
20 of the generation study reviews Board staff conducted a site  
21 visit and as a result, staff recommends both deductions and  
22 additions for revised 1999 and 2000 diversion rates.  
23 Changes proposed by Board staff can be seen in their  
24 entirety in each Attachment 3.

25 The City of Fontana submitted a rate of 42 percent

1 for 1999 and 53 percent for 2000 based on its 1999 and 2000  
2 generation studies. With the Board staff's recommended  
3 changes the City's 2000 diversion rate would be 54 percent  
4 and remains at 42 percent for 1999.

5 The City of Yucaipa submitted a rate of 47 percent  
6 for 1999 and 59 percent for 2000 based on its 1999 and 2000  
7 generation studies. With Board staff's recommended changes,  
8 the City's 2000 diversion rate would be 60 percent and that  
9 includes less than 1 percent from sludge and remains at 47  
10 percent for 1999. The City has documentation that was  
11 submitted showing it meets the statutory conditions for  
12 claiming sludge diversion.

13 The City of Highland submitted a generation study  
14 of 52 percent for 2000 based on its 2000 generation study.  
15 With Board staff's recommended changes, the City's 2000  
16 diversion rate remained at 52 percent.

17 Board staff has determined that these cities have  
18 adequately documented the information claimed in their  
19 generation studies.

20 Staff also conducted a 1999/2000 biennial review  
21 for these cities and has found that the jurisdictions have  
22 adequately implemented the source reduction recycling,  
23 composting, public education and information programs as an  
24 outline in their source reduction and recycling elements and  
25 household hazardous waste elements. Because the cities have

1 demonstrated adequate implementation of their SHRE's and  
2 HHWE's and have met the 50-percent diversion requirement  
3 staff recommend the Board approve staff's biennial review  
4 findings.

5           There are representatives from the city of Fontana  
6 and on behalf of the City of Yucaipa here -- and Highland --  
7 to answer any questions.

8           And this conclude my presentation. Thank you.

9           CHAIRPERSON JONES: Thank you.

10          Any questions, Members?

11          Mr. Medina?

12          COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

13          I'd like to move Resolution 2003-152,  
14 consideration of 1999/2000 biennial review findings for  
15 the source reduction and recycling element and household  
16 hazardous waste element, consideration of the petition  
17 for sludge diversion credit for the City of Yucaipa,  
18 San Bernardino County.

19          COMMITTEE MEMBER MOULTON-PATTERSON: Second.

20          CHAIRPERSON JONES: Motion by Ms. Medina, second  
21 Chair Moulton-Patterson.

22          Substitute the previous roll?

23          On consent?

24          Thank you, Members.

25          Mr. Medina?

1 COMMITTEE MEMBER MEDINA: I'd like to move  
2 Resolution 2003-153, consideration of 1999/2000 biennial  
3 review findings for the source reduction and recycling  
4 elements and household hazardous waste element in  
5 consideration of the petition for sludge diversion credit  
6 for the City of Fontana, San Bernardino County.

7 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

8 CHAIRPERSON JONES: Motion by Mr. Medina, second  
9 by Chair Moulton-Patterson.

10 Substitute the previous roll?

11 On consent?

12 Thank you, Members.

13 Mr. Medina?

14 COMMITTEE MEMBER MEDINA: I'd like to move  
15 Resolution 2003-154, consideration of 1999/2000 biennial  
16 review findings for the source reduction and recycling and  
17 hazardous waste element for the City of Highland, San  
18 Bernardino County.

19 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

20 CHAIRPERSON JONES: Got a motion by Mr. Medina,  
21 second by Chair Moulton-Patterson.

22 Substitute the previous roll?

23 On consent?

24 Thank you, Members.

25 Mr. Schiavo.



1           DEPUTY DIRECTOR SCHIAVO: Item 41 is consideration  
2 of the 1999/2000 biennial review findings for the City of  
3 Point Arena and Mendocino County and Jill Simmons will present.

4           MS. SIMMONS: Good morning, Chairman Jones and  
5 Committee Members.

6           To determine the level of program implementation,  
7 staff analyzed the historic diversion rate trend for the  
8 last five years. However, it is difficult to analyze due to  
9 significant fluctuations. In 1995 and '96 the diversion  
10 rates climbed to 42 percent and 46 percent, respectively.  
11 In 1997 the diversion rate dipped to 27 percent and then  
12 increased slightly to 32 percent the following year.

13           In '99 and 2000 diversion rates decreased further  
14 still to 15 percent and 17 percent, respectively. However,  
15 2001 the diversion rate for Point Arena climbed to an  
16 all-time high of 88 percent. Reasons for these fluctuations  
17 are the following: Point Arena is a small rural city with a  
18 population of 440.

19           This city is one of the smallest reporting groups  
20 in the state. Every time disposal tonnage changes by  
21 5 tons, this impacts the diversion rate by one percentage  
22 point.

23           The hauler who services this city also picks up  
24 materials in the unincorporated parts of the county making  
25 it more difficult to accurately allocate disposal tonnage.

1   Until recently the county did not do origin surveys at the  
2   landfill.  Instead the hauler estimated the city's disposal  
3   based upon the percent of commercial garbage in the truck  
4   from inside and outside city limits.

5               What is consistent, however, is that over the past  
6   five years the city's population has remained the same and  
7   the amount of material that the city recycles has steadily  
8   increased.

9               Some of the major programs that have been  
10  implemented include a centralized drop-off location that  
11  provides a convenient recycling opportunity for residents.  
12  Residential curbside recycling pickup is provided at no  
13  additional charge for households that have municipal waste  
14  service.  A hauler who provides commercial accounts a second  
15  bin for paper and cardboard recycling collection free of  
16  charge.  Self-hauling opportunities at the transfer station  
17  for various material types.  An enthusiastic recycling  
18  coordinator who is very excited about recycling and who has  
19  conducted informal audits of each of the local businesses to  
20  determine waste-reduction measures.  He has also convinced  
21  all of the local restaurants to discontinue using Styrofoam.

22              Staff recommends the Board finds that the City of  
23  Point Arena has made a good-faith effort in meeting  
24  diversion requirements.

25              This concludes my presentation.  Board staff are

1 available to answer any question.

2 CHAIRPERSON JONES: I'll take questions, but  
3 I just want to do a little more history for both the public  
4 and some of the members.

5 When we did our first hearing on four  
6 jurisdictions that were not in compliance with AB 939,  
7 Point Arena was one of the cities that faced potential fine.  
8 The day of that hearing we found out that their total Public  
9 Works budget for the year was \$1500. They had a group of  
10 local citizens that actually wrote all the documents  
11 themselves, volunteered to do the documents, to put the  
12 programs together. They were committed to getting it done.

13 This board, how do I say this? We, we made  
14 a finding of noncompliance with the mandates of AB 939,  
15 we assessed a fine that was waived in lieu of them, because  
16 they had delivered work. For them to do these programs with  
17 440 people is pretty remarkable but I needed to put it into  
18 a context of the history. They had been put on a  
19 compliance, they fulfilled all the requirements of that and  
20 they're doing a good job. I just wanted to add a little  
21 information.

22 And questions?

23 Yes, Ms. Peace.

24 COMMITTEE MEMBER PEACE: Did Point Arena ever  
25 request like a rural goal reduction?

1 MS. SIMMONS: It was considered. They actually  
2 submitted an application, but we felt that they were doing  
3 such an outstanding job with all of their programs and that  
4 the diversion rate just didn't really accurately reflect  
5 the efforts that were taking place in the city.

6 CHAIRPERSON JONES: Mr. Medina.

7 COMMITTEE MEMBER MEDINA: Yes, I had a question.  
8 I notice that only 35 households have garbage service, do  
9 you know what percentage of the households that is and for  
10 the ones that don't, where does the garbage go?

11 MS. SIMMONS: I don't know the number of  
12 households in the area, but there's many recycling  
13 opportunities available. If people don't have curbside  
14 recycling there's a centralized drop-off location that's  
15 very popular in the community and then the transfer station  
16 offers many recycling opportunities as well, and then  
17 15 miles away there's a buy-back center.

18 COMMITTEE MEMBER MEDINA: So for the 35 residents  
19 there's actually a company that goes out and picks up their  
20 garbage on a regular basis?

21 MS. SIMMONS: That is correct.

22 COMMITTEE MEMBER MEDINA: Is that a private  
23 company or do they have their own service?

24 MS. SIMMONS: It's Empire Waste.

25 COMMITTEE MEMBER MEDINA: Empire Waste?

1 MS. SIMMONS: Uh-huh. And then if you do have  
2 garbage service, the curbside collection is free of charge.

3 COMMITTEE MEMBER MEDINA: Thank you.

4 CHAIRPERSON JONES: Madam Chair.

5 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to  
6 move Resolution 2003-155, consideration of the 1999/2000  
7 biennial review findings for the source reduction and  
8 recycling element and household hazardous waste elements to  
9 City of Point Arena, Mendocino County.

10 And I'd like to add I think they're certainly  
11 a role model for the smaller communities and please add  
12 the Board's congratulations.

13 COMMITTEE MEMBER MEDINA: Second.

14 CHAIRPERSON JONES: Motion by Chair  
15 Moulton-Patterson second by Mr. Medina.

16 Substitute previous roll?

17 On consent?

18 Thank you, Members.

19 Mr. Schiavo.

20 DEPUTY DIRECTOR SCHIAVO: Okay. Item No. 42 or  
21 Committee Item I is consideration of a petition for rural  
22 reduction of the diversion requirements and consideration of  
23 the 1999/2000 biennial review findings for the Sierra County  
24 Regional Agency; and Natalie Lee will present this item.

25 MS. LEE: Good morning, Chairman Jones and

1 Committee Members.

2           The item before you is consideration of a petition  
3 for rural reduction and the biennial review findings for  
4 Sierra County Regional Agency. A revised resolution and  
5 attachment too are being distributed and extra copies are  
6 available in the back of the room for this item.

7           The Board heard a related item at the November  
8 2002 board meeting at which time the agencies original  
9 application for rural reduction, which was submitted in  
10 July of 2002, was denied because the petition contained  
11 insufficient information for complete staff analysis.  
12 The agency was given 60 days to submit a revised application  
13 which was received by staff January 23rd of 2003.

14           The Sierra County Regional Agency's diversion rate  
15 for 1999 is 35 percent and for 2000 is 21 percent. This  
16 rural agency includes the unincorporated area of Sierra  
17 County and the City of Loyalton.

18           Sierra County is the second smallest county  
19 in population in California with only 3700 people and a slow  
20 growth rate. The county has a publicly owned land area of  
21 over 70 percent. The economy has been seriously impacted by  
22 cutbacks in the lumber industry.

23           The current petition is complete and Board staff  
24 believe that the agency's documentation of barriers is  
25 consistent with the justification outlined in the Board-

1 approved policies for granting a rural reduction. However,  
2 assessing an appropriate numerical rate for reduced goals is  
3 particularly challenging for this rural agency.

4           The historic diversion rate trend has been  
5 fluctuating significantly, default diversion calculation for  
6 this agency is extremely sensitive to changes in the  
7 adjustment factors.

8           In addition, relatively small fluctuations in  
9 disposal create significant fluctuations in the diversion  
10 rate. The total estimated waste generation in Sierra County  
11 in the year 2000 was less than 3800 tons. A difference of  
12 only 38 tons a year will increase or decrease their  
13 diversion rate by 1 percent.

14           As staff cannot confidently assess an appropriate  
15 level for a reduced diversion goal due to these diversion  
16 rate fluctuations, staff is recommending that the Board not  
17 approve the PFR at this time but instead approve that the  
18 agency has made a good-faith effort to implement its SHRE  
19 selected programs.

20           Staff's recommendations aligns with the  
21 recommendation in the Board approved Senate Bill 2202 report  
22 which states that the Board allow rural jurisdictions  
23 to demonstrate AB 939 compliance based on local program  
24 implementation and effectiveness instead of data and  
25 calculations that may contain errors that are difficult

1 to resolve.

2 To determine the level of program implementation  
3 staff analyzed the agency's annual reports, the petition for  
4 rural reduction, and an updated (inaudible) report. Staff  
5 conducted a site visit in 2002.

6 Staff recommends that the Board find that  
7 Sierra County Regional Agency has made a good-faith effort  
8 to implement its SHRE and meet diversion requirements and  
9 has adequately implemented its HHWE.

10 Staff is available to answer questions; and this  
11 concludes my presentation.

12 CHAIRPERSON JONES: Any questions, Members?

13 This one's a little different. I mean, it's  
14 about, what, 12 tons a day for the whole county? 12 tons  
15 a day for the whole county would be pretty tough to figure  
16 out in an ADR.

17 All right. Members?

18 COMMITTEE MEMBER MEDINA: I'd like to move this  
19 resolution. Resolution 2003-157, revised consideration of a  
20 petition for a rural reduction of the diversion requirements  
21 in consideration of the 1999/2000 biennial review findings  
22 for the source reduction and recycling element and household  
23 hazardous waste element for the Sierra County Regional  
24 Agency.

25 COMMITTEE MEMBER PEACE: Second.



1           CHAIRPERSON JONES: Got a motion by Mr. Medina,  
2 a second by Member Peace.

3           Substitute the previous roll, Members?

4           On consent?

5           Okay. Next item.

6           DEPUTY DIRECTOR SCHIAVO: Board Item 43, Committee  
7 Item J, is consideration of the application for an SB 1066  
8 Alternative Diversion Requirement by the City of Brisbane  
9 in San Mateo County; and Keir Furey will present.

10          MR. FUREY: Good morning, Committee Members.

11          At the January 14th, 2003 board meeting a new base  
12 year was approved for the year 2000 for the city. The  
13 diversion rate for the base year was originally submitted  
14 at 48 percent. However, due to deductions based on  
15 commercial site visits, a revised diversion rate of  
16 21 percent was recommended and approved.

17          The city had previously submitted an SB 1066  
18 time-extension request. It was based on the 48-percent  
19 diversion rate for the year 2000. The city has since  
20 submitted an alternate diversion rate requirement request  
21 for a diversion goal of 40 percent through December 31,  
22 2004.

23          The city believes that increasing its diversion  
24 rate from 21 percent to 50 percent in only three years is  
25 too aggressive a goal. The reduced diversion rate would

1 provide the city with flexibility to determine the best  
2 approach to eventually achieving the 50-percent diversion  
3 goal.

4           The specific reasons the city needs additional  
5 time are as follows: The city's hauler opened a new  
6 material recovery facility in 2001.

7           The city's in the process of expanding a number of  
8 programs to take advantage of the increased capacity. These  
9 programs include residential curbside recycling, residential  
10 green waste collection, commercial recycling collection, and  
11 construction and demolition debris collection.

12           Also the city is in the process of proposing  
13 an ordinance to encourage construction and demolition debris  
14 diversion which is in addition to the mixed construction and  
15 demolition-debris sorting that occurs at the new material  
16 recovery facility.

17           Board staff has determined that the information  
18 submitted is adequately documented. Based on this  
19 information, Board staff is recommending that the Board  
20 approve the ultimate diversion requirement request for the  
21 city.

22           A representative for the city is present to help  
23 answer any questions.

24           This concludes my presentation.

25           CHAIRPERSON JONES: Any questions, Members?

1           This is -- again I know the hauler, and I think  
2 they're going to do a good job but it took a while to get  
3 the city council to sign this ADR.

4           So I mean, everybody does understand that you get  
5 an extension, you don't fulfill it at some point, you know,  
6 our requirements of 50 percent don't go away. We're going  
7 to look at it every two years and if it ain't there, then  
8 this Board may act to put them on a compliance order.  
9 I think that message has gotten delivered to the city  
10 council because, you know, clearly they can't just put  
11 this in and not get it done. They're a tough sliver,  
12 they're right between Daly City and San Francisco so it's a  
13 tough one, but hopefully they can get it done.

14           COMMITTEE MEMBER MEDINA: I think they also have  
15 to note that in the staff's report that Brisbane needs to do  
16 more publication, more public education and outreach.

17           CHAIRPERSON JONES: Absolutely.

18           Madam Chair.

19           COMMITTEE MEMBER MOULTON-PATTERSON: With those  
20 suggestions I'd like to move approval of Resolution  
21 2003-158, consideration of the application for an SB 1066  
22 Alternative Diversion Requirement by the city of Brisbane,  
23 San Mateo County.

24           COMMITTEE MEMBER MEDINA: Second.

25           CHAIRPERSON JONES: Motion by Chair

1 Moulton-Patterson, second by Mr. Medina.

2 And substitute the previous roll?

3 On consent?

4 Thank you, members.

5 All right. Mr. Schiavo.

6 DEPUTY DIRECTOR SCHIAVO: Item 44, Board packet or  
7 Item K in the committee packet is consideration of the  
8 application for an SB 1066 Alternative Diversion Requirement  
9 by the City of Needles, San Bernardino County; and Rebecca  
10 Brown will present this item.

11 MS. BROWN: The City of Needles has requested an  
12 Alternative Diversion Requirement, or ADR, of 35 percent  
13 through December 31st, 2003. The city built its request  
14 from its 2001 preliminary diversion rate of 27 percent. The  
15 city has requested an Alternative Diversion Requirement in  
16 lieu of a time extension because the city believes that  
17 despite its good-faith efforts it will be unable to meet the  
18 50-percent goal. The city has been having difficulties  
19 reaching 50 percent because it's a small community isolated  
20 in eastern San Bernardino County. There are no nearby  
21 California communities or easily accessible markets for  
22 their diverted materials. The city also faces economic  
23 difficulties.

24 The specific reasons why the city is requesting  
25 the ADR are as follows:

1           It is a rural, economically disadvantaged  
2 community. It has a small, local tax base resulting in  
3 limited funds to hire staff and implement source reduction  
4 recycling and education programs. And the city has  
5 experienced resistance by some residents to participate as  
6 they disagree with the need to recycle and to pay for those  
7 services.

8           Board staff has determined that the information  
9 submitted within the application is adequately documented  
10 and is recommending that the Board approve the ADR of  
11 35 percent as requested by the city.

12           There is a person here on behalf of the city  
13 if you have any questions.

14           This concludes my presentation. Thank you.

15           CHAIRPERSON JONES: Any questions?

16           I have one question and it might be for whoever's  
17 representing the city. I mean, part of the staff, part of  
18 the staff report is that the city residents don't feel  
19 the need to do any of these things. Has the city made the  
20 residents aware of what's going on all over California and  
21 the mandate and the fact that it's a state where 48 percent,  
22 if you could identify yourself?

23           MR. WOODS: My name is Jeff Woods. I'm the city  
24 engineer for Needles, California.

25           It's not the fact that they disagree with it, it's

1 the fact as our trash rate now is \$17 a month and to do  
2 curbside recycling would be \$21 a month so they would just  
3 leave the community, cross to Arizona where they pay \$10  
4 a month -- which is 600 feet. So they're, they don't  
5 support the curbside recycling.

6 CHAIRPERSON JONES: Are there any other programs  
7 like that that could be made available that you --  
8 all right. Let me put it differently.

9 Are there, during this time frame, are you going  
10 to be looking at other programs that might be more enticing?

11 MR. WOODS: Yes, it's built in our application.  
12 We have drop-off recycling points all over the community and  
13 that sort of thing, but curbside recycling on the  
14 residential level is just not cost-effective for us.

15 CHAIRPERSON JONES: And I wasn't implicating the  
16 curbside but there's, you know, there's a lot of different.

17 MR. WOODS: Yeah, we do have a \$10,000 grant from  
18 the Department of Conservation and we're obtaining a drop-  
19 off facility in our parks, recreation, that sort of stuff.

20 MS. BROWN: There is a private company accepting  
21 drop-off material and has done some collection from the  
22 commercial sector.

23 I think the city also faces a challenge in that  
24 the hauling contract they had was an evergreen contract  
25 which has recently been given notice that it's time to come

1 up for a new. And that won't expire until 2006? 2005 or  
2 -6. And the hauler is from Arizona and hauls the trash to  
3 Arizona.

4 So I think that as we proceed in assisting to look  
5 at what opportunities are available using grant funds and  
6 division recycling funds there are some challenges we can  
7 overcome to improve and establish a reasonable rate and  
8 possibly make adjustments with a new contract that will  
9 better facilitate what this community needs to meet AB 939.

10 CHAIRPERSON JONES: Great.

11 MR. WOODS: I would like to add one other point  
12 that the city of Needles has longly contested that we export  
13 our trash out of state. And we're considered a metropolitan  
14 jurisdiction although we're 5300 people now. We're located  
15 180 miles -- we are the East Coast of California. And as  
16 the tipping fees and all these regulations come into place  
17 it becomes very apparent we're so isolated that they say  
18 Okay, the tipping fees are going to go up to cover the cost  
19 of all these programs to \$32 a ton; people say Fine; and on  
20 Saturdays and Sundays you see people ride around in their  
21 little sand dunes in the desert dumping all their trash in  
22 the desert. They have their simple ways in a small town  
23 like that to try to resolve their issues.

24 We're not trying to be belligerent with the Board  
25 but I believe the City of Needles' issues are totally,

1 totally distinct compared to what else is going on in  
2 the state. So...

3 CHAIRPERSON JONES: Is there -- they're distinct  
4 because the citizens figure why do it or...

5 THE WITNESS: There's 53 full-time employees,  
6 ten years ago we had 106 now we have 53 full-time employees.  
7 Of those full-time city employees, three of us have a  
8 college education. The average education level in Needles  
9 is about 9th or 10th grade and our mean household, our mean  
10 household income is \$27,000 a year.

11 If you think about that for a minute the people  
12 are trying to pay their power bill, we live in an area where  
13 the ambient temperature is 125 degrees daily. We're the  
14 second hottest place in the continental United States next  
15 to  
16 Death Valley. These people are poor, poor, poor. They can  
17 pay their power bill they can pay their food and that sort  
18 of stuff then they look at hey the city now wants to charge  
19 me \$21 to pick up my trash a month. And if I build a house  
20 here in California they're going to charge me \$2.50 a square  
21 foot school fees. They're going to charge me this, this,  
22 this; and my workman's comp is 50 percent, you can see the  
23 mass exodus out of Needles.

24 We were 7,000 people in 1960. We're down to 5600  
25 and we're losing -- you'll see in the next Census 2010



1 that number will probably drop under 5,000.

2           There becomes a point of diminishing returns when  
3 California is sitting literally 500 feet away across the  
4 Colorado River, the enticements are so strong. I hate to  
5 say this I personally live in Bullhead City and I've worked  
6 for the city for ten years and I feel loyal to the City of  
7 Needles, but it's the huge bureaucracy of the continuing  
8 pressures placed on it from the State of California where  
9 people just finally said Hey, thank you, I'm leaving, going  
10 across the river.

11           So we appreciate our environmental concerns and  
12 responsibilities. We want to help, you know, do our end but  
13 at what point do we just call it a day and say, you know  
14 what, we're unincorporated now, County of San Bernardino  
15 take us over; and a lot of the community feel that will  
16 happen in the next ten years.

17           CHAIRPERSON JONES: But until that time we still  
18 have to deal with our responsibilities.

19           MR. WOODS: And we appreciate that and Rebecca's  
20 done a fine job with us and we're trying to implement  
21 programs as we can. We're trying to get grant assistance  
22 and that sort of thing and it's --

23           CHAIRPERSON JONES: Sure. I understand.

24           THE WITNESS: Thank you.

25           CHAIRPERSON JONES: All right. Thank you.

1 Members.

2 COMMITTEE MEMBER MEDINA: Chair Jones --

3 CHAIRPERSON JONES: Yes, sir.

4 COMMITTEE MEMBER MEDINA: -- I'd like to move  
5 Resolution 2003-159, consideration of the application for  
6 a 1066 Alternative Diversion Requirement for the City of  
7 Needles, San Bernardino County.

8 COMMITTEE MEMBER PEACE: Second.

9 CHAIRPERSON JONES: I got a motion by Member  
10 Medina, second by Member Peace.

11 Substitute the previous roll?

12 On consent?

13 Thank you, Members.

14 Next item.

15 DEPUTY DIRECTOR SCHIAVO: Okay. This is  
16 a combination item; and Item No. 45 in the Board packet.  
17 It should be combined with Item 59 in the Board packet.

18 And what Item 59 is is consideration of a request  
19 to change the base year to 2000, and then Item No. 45 is  
20 consideration of an application of a 1066 time extension.

21 And Cedar Kehoe will make the presentations.

22 MS. KEHOE: I'm going to start with Item 59.

23 The City of San Joaquin submitted a request to  
24 change their base year from 1990 to the year 2000. The city  
25 originally submitted a base year change request with

1 a diversion rate of 29 percent for 2000.

2 As part of the base year study review Board staff  
3 conducted a detailed site visit and as a result recommended  
4 some changes to the 2000 diversion rate. Board staff-  
5 proposed changes may be seen in detail in Attachment 3.  
6 With these changes, the city's diversion rate for 2000 would  
7 be  
8 23 percent.

9 In light of this, the city has submitted a request  
10 for an Alternative Diversion Rate.

11 Board's staff has recommended Option 2 of the  
12 Agenda item that would approve the revised new base year  
13 with staff recommendations.

14 I'm now going to go to Item 45.

15 The City of San Joaquin has requested  
16 an Alternative Diversion Requirement of 33 percent through  
17 December 31st of 2003. The city has requested the  
18 Alternative Diversion Requirement in lieu of the time  
19 extension because the city believes that despite their  
20 good-faith effort they will be unable to meet the 50-percent  
21 goal.

22 This Fresno County city is rural and has been  
23 negatively impacted by the lack of programs implemented  
24 in the Fresno County area.

25 For specific reasons the city has requested the

1 ADR and those reasons are lack of funding, the time  
2 necessary to issue an RFP and retain a new hauler for  
3 the region, and disposal reporting inaccuracies.

4 The Board staff has recommended that the  
5 information submitted is adequately documented and is  
6 recommending that the Board approve the ADR of 33 percent  
7 for the city of San Joaquin.

8 That concludes my presentation.

9 CHAIRPERSON JONES: Is this another one that was  
10 paying fees go into the county?

11 MS. KEHOE: That's correct.

12 CHAIRPERSON JONES: Members?

13 For Item No. 59, got a motion?

14 Mr. Medina.

15 COMMITTEE MEMBER MEDINA: I'd like to move  
16 Resolution 2003-178, consideration of a request to change  
17 the base year to 2000 for the previously approved source  
18 reduction and recycling element and household hazardous  
19 waste element for the City of San Joaquin, Fresno County.

20 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

21 CHAIRPERSON JONES: Got a Motion by Mr. Medina,  
22 second by Chair Moulton-Patterson.

23 Substitute the previous roll, Members?

24 On consent?

25 Mr. Medina.

1 COMMITTEE MEMBER MEDINA: I'd like to move  
2 Resolution 2003-160, consideration of the application for  
3 a 1066 Alternative Diversion Requirement for the City of  
4 San Joaquin, Fresno County.

5 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

6 CHAIRPERSON JONES: Got a motion by Mr. Medina;  
7 second by Chair Moulton-Patterson.

8 Substitute the previous roll?

9 On consent?

10 Thank you, Members.

11 Next item.

12 DEPUTY DIRECTOR SCHIAVO: Item 46 in your Board  
13 packet is consideration of the application for an SB 1066  
14 Alternative Diversion Requirement for the City of  
15 Santa Paula, Ventura County; and Tara Guatheir will present.

16 MS. GUATHEIR: Good morning, Committee Members.

17 Board staff conducted a review of the City of  
18 Santa Paula's generation based study and its proposed  
19 alternative diversion requirement. In its generation-based  
20 study the city originally requested 37-percent diversion  
21 rate for 2000.

22 As a result of Board staff's site visit to verify  
23 the city's claimed diversion Board staff is recommending  
24 a diversion rate revision for 2000 of 30 percent.

25 The city has a 23-percent diversion rate for 1999.

1 The city has requested an Alternative Diversion Requirement  
2 of 43 percent until December 31st, 2004.

3 Staff's analysis of the city's request indicates  
4 that the application provides enough information to  
5 adequately justify its SB 1066 request for an Alternative  
6 Diversion Requirement.

7 Based on this information Board staff is  
8 recommending approval of the city's application that's  
9 submitted for an alternative to the 2000 diversion  
10 requirement on its, on the basis of its good-faith effort  
11 to date to implement diversion programs and its plans for  
12 future implementation.

13 A representative from the city is available to  
14 answer questions.

15 This concludes my presentation. Thank you.

16 CHAIRPERSON JONES: Thank you.

17 Any questions, staff, or members?

18 COMMITTEE MEMBER MEDINA: No questions.

19 I just want to comment that I'm glad to see that  
20 the city is making an effort to do outreach to the  
21 predominantly Hispanic population which makes up 71 percent,  
22 and that they have reached out to the Mexican-American  
23 Chamber of Commerce and the Latino Town Hall.

24 I would also hope that the staffing for this  
25 department would reflect the population as well.

1           And in that regard I'd like to move the  
2 resolution.

3           CHAIRPERSON JONES:   Okay.

4           COMMITTEE MEMBER MEDINA:   I'd like to move  
5 Resolution 2003-161, consideration of the application for  
6 a 1066 Alternative Diversion Requirement by the City of  
7 Santa Paula in Ventura County.

8           COMMITTEE MEMBER MOULTON-PATTERSON:   Second.

9           CHAIRPERSON JONES:   Got a motion by Mr. Medina;  
10 second by Chair Moulton-Patterson.

11           Substitute the previous roll?

12           On consent?

13           Thank you, Members.

14           Next item.

15           DEPUTY DIRECTOR SCHIAVO:   Item 46 -- or 47 in your  
16 Board packet, we've combined several jurisdictions together  
17 in Imperial County and these are consideration of an  
18 application for SB 1066 Alternative Diversion Requirements  
19 for the Cities of Brawley, Calexico, Calipatria, Holtville,  
20 Imperial, and Westmorland; and Tara Guatheir will present  
21 this item as well.

22           MS. GUATHEIR:   Thank you.

23           The Cities of Brawley, Calexico, Calipatria,  
24 Holtville, Imperial, and Westmorland in Imperial County have  
25 requested an Alternative Diversion Requirement or ADR.

1           The range for each city's request to extend  
2   their due date for achieving 50-percent diversion is from  
3   June 16th, 2004 to August 20th, 2004. However, Board staff  
4   recommends that all these jurisdictions be granted an ADR  
5   through December 31st, 2004.

6           The cities built their Alternative Diversion  
7   Requirement requests off their existing 2000 diversion rates  
8   that ranged from 12 percent through 40 percent. Their  
9   alternative diversion rates requested range from 17 percent  
10   to 45 percent. The Cities requested an alternative  
11   diversion requirement in lieu of the time extension because  
12   they believe that, despite their good-faith efforts, they  
13   will be unable to meet the 50-percent goal within the time  
14   period requested.

15           The specific reasons why the Cities are requesting  
16   the ADR are as follows:

17           There are very few businesses in the smaller towns  
18   the smaller cities of Calipatria, Holtville, Imperial, and  
19   Westmorland and diversion for some of these businesses was  
20   not possible to verify for their new base year due to lack  
21   of records. The Imperial Valley covers a large area and has  
22   a low-density population. There is an alarming influx of  
23   working nonresidents as well as tourists on vacation  
24   from out of state which skews the population for diversion  
25   adjustment purposes.



1           Also, the jurisdictions expect to form a regional  
2 agency within the requested time period. Staff has  
3 recommended that the following additional programs be added  
4 to the 1066 ADRs: All six cities should adopt a C&D  
5 ordinance as well as implement related diversion programs to  
6 divert inerts and dimensional wood and, if feasible, other  
7 materials such as unpainted drywall, metals, and cardboard  
8 and a means of implementing the ordinance.

9           Board staff recommends that as a group they should  
10 reexamine and renegotiate the commercial collection rate  
11 structure as they move towards regional agency formation.  
12 Each of the six cities is to maximize diversion efforts  
13 during cleanup events by including metals, cardboard, and  
14 green waste in the materials they divert from these events.

15           The cities are to specifically address the issue  
16 of curbside contamination as part of their regional  
17 community-based social marketing program and create  
18 a bilingual approach to monitoring, education, and perhaps  
19 a penalty component for participants in these programs.  
20 Additionally the City of Calipatria should, by March 2004,  
21 make changes to its rate structure so that cardboard  
22 recycling will not be more costly than disposal.

23           The City of Brawley should implement by March 2004  
24 curbside collection of green waste and recyclables from the  
25 residential sector.

1           The City of Brawley should also implement by  
2   March 2004 the city's adopted commercial beverage-container  
3   ordinance and diversion of collected materials.

4           With the above additions and expansions, staff's  
5   analysis of the cities' goal achievement plans indicates  
6   the plans are reasonable given the cities' waste streams.

7           Board staff has determined that the information  
8   submitted within each of the applications is adequately  
9   documented and staff is recommending that the Board approve  
10   the ADRs as requested by the cities.

11           The Cities' representative is present --  
12   I'm sorry, I believe the Cities' representative is not  
13   present.

14           This concludes my presentation but staff is  
15   available in case there are questions.

16           COMMITTEE MEMBER MOULTON-PATTERSON: I have  
17   a question and perhaps I wasn't listening closely enough,  
18   so I hope you don't have to repeat it, but is this just a  
19   loose grouping, they're not a JPA or anything like that?

20           MS. GAUTHEIR: They are a JPA.

21           COMMITTEE MEMBER MOULTON-PATTERSON: They are.

22           MS. GAUTHEIR: Yes, they are acting as a JPA but  
23   they are not a formal regional agency. They have a JPA  
24   organized in their county and all of the cities and  
25   the county participate in the JPA for solid-waste issues.

1   However, they are looking forward to creating a regional  
2   agency as defined by the Board for diversion and program  
3   purposes.

4               COMMITTEE MEMBER MOULTON-PATTERSON:   Okay.

5   So when defined by the Board is a little more formal than  
6   a JPA, because I thought JPA was pretty formal.

7               DEPUTY DIRECTOR SCHIAVO:   Yeah, our formal process  
8   at the Board for doing program limitation is considered  
9   a regional agency and that's distinct from the JPA.

10              COMMITTEE MEMBER MOULTON-PATTERSON:   Okay.   Thank  
11   you.

12              CHAIRPERSON JONES:   I have a couple questions.  
13   I kind of read this and I thought I read it wrong.

14              Our staff is recommending that they go out and  
15   renegotiate as part of this, is that an independent  
16   determination by our staff?

17              MS. GAUTHEIR:   No.   Actually, the City of Brawley  
18   has been negotiating with the local landfill as well as with  
19   the local MURF for processing of the City of Brawley  
20   collected material.   The City of Brawley collects their own.

21              CHAIRPERSON JONES:   Garbage and recycling, both?

22              MS. GAUTHEIR:   Yes.

23              CHAIRPERSON JONES:   Okay.

24              MS. GAUTHEIR:   But they had not up to this point  
25   collected residential curbside green waste or recyclables.

1 They had only collected from the commercial sector.

2 CHAIRPERSON JONES: Okay. So the recommendation  
3 from staff to renegotiate I kind of understood it as a  
4 collection contract, is that -- I mean I need to know what  
5 we're doing there. It seems inappropriate to me that a  
6 state agency would tell local government to go renegotiate  
7 a contract.

8 MS. GAUTHEIR: Sure.

9 MS. MORGAN: Sure. Cara Morgan for Local  
10 Assistance. Board Member Jones, this is a program that the  
11 city was planning on doing however it was not in their  
12 application and we're just showing it as documenting that  
13 this is something they were going down the road to pursue.  
14 So by showing that its staff recommended it, technically the  
15 city was planning on doing it but we're showing -- by  
16 showing staff recommended that we want it shown in the  
17 application that this is a program that they were planning  
18 on doing and that it's in their application.

19 CHAIRPERSON JONES: What's another way to word it?  
20 That you're highlighting that they, the representation of  
21 the city that they were going to do these things?

22 MS. MORGAN: Uh-huh.

23 CHAIRPERSON JONES: I wouldn't have a problem with  
24 that but I do have a problem with us telling people to start  
25 renegotiating contracts.

1 COMMITTEE MEMBER MOULTON-PATTERSON: Let's be  
2 very sensitive.

3 CHAIRPERSON JONES: Yeah, especially to me.

4 Is that reasonable, Members? I mean, I've got  
5 no problem with telling, you know, suggesting that certain  
6 things be done but the wording that we, that we -- because  
7 you know, sure as heck, that's going to blow up in our faces  
8 down the road.

9 MS. MORGAN: Maybe suggest wording in the  
10 resolution that per the discussions of the agencies within  
11 the JPA that they were pursuing --

12 CHAIRPERSON JONES: That we understand that.

13 MS. MORGAN: -- that we understand that and concur  
14 that that's a path that they should take.

15 CHAIRPERSON JONES: Okay. Is that reasonable?

16 COMMITTEE MEMBER MOULTON-PATTERSON: Yeah.

17 CHAIRPERSON JONES: Okay. I think I've, my blood  
18 pressure is down a little bit now.

19 Why do you guys do that to me, I'm nice to you  
20 guys?

21 MS. MORGAN: Just want to add some excitement,  
22 Board Member Jones.

23 CHAIRPERSON JONES: We have multiple resolutions  
24 on this, right? I think we have three. Three resolutions.

25 All right. Any other questions, Members?

1           Madam Chair.

2           COMMITTEE MEMBER MOULTON-PATTERSON:   Would you  
3   like me to do them separately, Elliott, or can we group  
4   them?

5           MR. BLOCK:   You can do one motion for all three  
6   resolutions.

7           COMMITTEE MEMBER MOULTON-PATTERSON:   I'd like to  
8   make a motion to approve Resolution 2003-162, which is the  
9   application for an SB 1066 Alternative Diversion Requirement  
10   by the Cities of Brawley, Calexico, Calipatria, Holtville,  
11   Imperial, and Westmorland, Imperial County; and then the  
12   other resolution is Resolution 2003-169, and Resolution  
13   2003-170.

14          CHAIRPERSON JONES:   With that change.

15          COMMITTEE MEMBER MOULTON-PATTERSON:   With the  
16   change that Mr. Jones suggested.

17          CHAIRPERSON JONES:   Thank you.

18          Second?

19          COMMITTEE MEMBER MEDINA:   Second.

20          CHAIRPERSON JONES:   Okay.   We got a motion by  
21   Chair Moulton-Patterson, seconded by Mr. Medina.

22          Substitute the previous roll?

23          On consent, Members?

24          Thank you.

25          Next item?

1           DEPUTY DIRECTOR SCHIAVO: Okay. Item 48 is to be  
2 combined with Item 58 in the Board packet and Item 58 will  
3 be heard first. And that's a request to consider the base  
4 year to 1999 for the previously approved source recycling  
5 element of for San Mateo County Unincorporated.

6           Then the next Item 48 will be a presentation  
7 regarding consideration of the application for an SB 1066  
8 time extension by San Mateo County as well; and Keir Furey  
9 will present these items.

10          MR. FUREY: Good morning, Committee Members.

11          San Mateo County Unincorporated submitted a new  
12 base year change request with a diversion rate of 39 percent  
13 for 1999. And as part of the base year study review  
14 Board staff conducted a detailed site visit. As a result,  
15 some minor inaccuracies and estimates, of estimates of  
16 diversion were discovered.

17          Board staff recommended deductions and additions  
18 which can be reviewed in their entirety by referring to  
19 Attachment 3 of the agenda in the packet. As a result of  
20 the deductions and additions, Board staff recommended the  
21 diversion rate remain at 39 percent for the base year of  
22 1999. The above is -- this is above the default rate for  
23 1999 using the current 1991 base year of 25 percent.

24          Board staff has determined that the information is  
25 adequately documented.

1           Based on this information, Board staff is  
2 recommending Option 2 of the Agenda Item 58, which is  
3 approval of revised new base year with staff  
4 recommendations.

5           In addition, San Mateo County Unincorporated  
6 submitted a request for time extension through December 31,  
7 2003. With the approval of the county's new 1999 base year  
8 their diversion would be 44 percent for 2000. A major  
9 reason the county needs a time extension is that when  
10 they develop their initial diversion plans they did not  
11 anticipate the huge increase in construction activity that  
12 occurred over the last several years. Particularly  
13 the San Francisco International Airport which is located in  
14 the unincorporated area of the county has been completing  
15 a huge expansion for many years.

16           In 2002 the County has adopted a new construction  
17 and demolition ordinance and they supported the relocation  
18 and expansion of the blue-line transfer station and material  
19 coverage facility located near the San Francisco Airport.  
20 An extension through December 31, 2003 would give sufficient  
21 time necessary for these programs to develop.

22           Board staff has determined the information  
23 submitted in the application is adequately documented.  
24 Based on this information, Board staff is recommending  
25 the Board approve the time extension request for the County.



1           A representative for the county is present to  
2 answer any questions.

3           This concludes my presentation. Thank you.

4           CHAIRPERSON JONES: Any questions, Members?

5           You went out, did the audit, you found another  
6 544 tons. I like that. Everybody always seems to deduct  
7 this was an add.

8           Mr. Medina.

9           COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

10          I'd like to move this Resolution 2003-177,  
11 consideration of a request to change the base year to 1999  
12 for the previously approved source reduction recycling  
13 element for San Mateo County Unincorporated.

14          COMMITTEE MEMBER PEACE: Second.

15          CHAIRPERSON JONES: Got a motion by Member Medina;  
16 second by Member Peace.

17          Substitute the previous roll, members?

18          On consent?

19          Thank you.

20          Mr. Medina.

21          COMMITTEE MEMBER MEDINA: I'd like to move  
22 Resolution 2003-163, consideration of the application for  
23 a 1066 time extension by the unincorporated area of  
24 San Mateo County.

25          COMMITTEE MEMBER PEACE: Second.

1 CHAIRPERSON JONES: Got a motion by Mr. Medina;  
2 second by Member Peace.

3 Substitute the previous roll?

4 On consent?

5 Thank you.

6 Next item.

7 DEPUTY DIRECTOR SCHIAVO: Item 49 in the Board  
8 packet is consideration of the application for an SB 1066  
9 time extension by the West Contra Costa Integrated Waste  
10 Management Authority in Contra Costa County.

11 You should be receiving revisions. What happened  
12 was the original version somehow some parts of the pages got  
13 cut off. It's not a technical revision. And Eric Bissinger  
14 will present this item.

15 MR. BISSINGER: Good morning, Board Members.

16 The West Contra Costa Integrated Waste Management  
17 Authority submitted an SB 1066 document requesting a time  
18 extension until December 31st, 2005.

19 The Agency plans to increase their existing 2001  
20 diversion rate of 41 percent and is confident that the  
21 programs outlined in its plan of correction will  
22 successfully allow them to meet or exceed the 50-percent  
23 diversion goal.

24 The specific reasons why the Agency needs the time  
25 extension are as follows:

1           Now with an approved new base year planning and  
2   implementing program are more realistic and can be done with  
3   accurate results. Time is needed for programs to become  
4   fully implemented and success of the programs realized.  
5   Reconciliation of the disposal recording inaccuracies is  
6   critical to determining accurate diversion rates. Most of  
7   the implementation activities will take place in the first  
8   two years with monitoring to take place in the third.

9           The program listed in the plan of correction  
10   includes food waste collection program, expending commercial  
11   self-haul, and on-site pickup of recyclables and organics,  
12   increased green waste diversion and expanded compost  
13   operations, expanded curbside collection in the City of  
14   El Cerrito.

15           Board staff has determined that the information  
16   submitted within the application is adequately documented.

17           Based on this information, Board staff is  
18   recommending that the Board approve the time-extension  
19   request for the agency.

20           Representatives for the regional agency are  
21   present to answer any questions. This concludes  
22   my presentation.

23           CHAIRPERSON JONES: Members, any questions?

24           I got one request, Mr. Schiavo. When we get these  
25   new revisions, which is fine not a problem, have your staff

1 hole-punch them on one side so we don't have to rip them.  
2 I think most of us would probably appreciate that. Just a  
3 little thing.

4 Anybody want to make a motion?

5 Mr. Medina.

6 COMMITTEE MEMBER MEDINA: I'd like to move  
7 Resolution 2003-164, consideration of the application for a  
8 1066 time extension by the West Contra Costa Integrated  
9 Waste Management Board in Contra Costa County.

10 COMMITTEE MEMBER PEACE: Second.

11 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

12 CHAIRPERSON JONES: I got a motion by Mr. Medina,  
13 second by Ms. Peace, and Linda Moulton-Patterson. And I'll  
14 second it, too; that would be three of us.

15 Substitute the previous roll?

16 On consent?

17 Okay. We're going to take a break now. But  
18 we are going to take a break for about -- we'll come back at  
19 about quarter to, okay.

20 (Recess taken.)

21 CHAIRPERSON JONES: Okay. We are going to  
22 reconvene this meeting of Planning and Diversion.

23 I want to ask members if they have any ex partes.

24 Ms. Peace?

25 COMMITTEE MEMBER PEACE: No.

1 CHAIRPERSON JONES: Chair Moulton-Patterson.

2 COMMITTEE MEMBER MOULTON-PATTERSON: No.

3 CHAIRPERSON JONES: Mr. Medina?

4 COMMITTEE MEMBER MEDINA: None to report.

5 CHAIRPERSON JONES: And I don't have any to  
6 report.

7 Okay. Mr. Schiavo.

8 DEPUTY DIRECTOR SCHIAVO: Nothing to report.

9 Okay. Item No. 50 --

10 (Laughter.)

11 -- consideration of the application for an SB 1066  
12 time extension by the Town of Apple Valley, San Bernardino  
13 County.

14 Rebecca Brown will present.

15 MS. BROWN: Hello.

16 The Town of Apple Valley is requesting a time  
17 extension through January 31st, 2004.

18 The specific reasons why the Town needs a time  
19 extension are to identify the commercial loads that are rich  
20 in recyclable materials, contact and explain the services to  
21 the new customers, and buy and distribute bins for selected  
22 recyclable materials. For the establishment of a site at  
23 County-operated landfills to receive self-hauled recyclable  
24 and reusable materials, arrange transport of the collected  
25 recyclable materials to markets, and track and report the

1 tonnage of the materials that were recycled.

2 To provide targeted outreach, to increase the  
3 participation rate of the expanded programs listed in the  
4 Town's plan of correction, and to track the additional  
5 diversion, discuss any needed changes with the County and/or  
6 the hauler, and make whatever adjustments are necessary.

7 The Town has a 2000 diversion rate of 43 percent  
8 and anticipates a 7-percent increase in its diversion rate.

9 Board staff has determined that the information  
10 submitted in the Town's application is adequately documented  
11 and recommends the Board approves the Town's time-extension  
12 request.

13 A representative for the city is here if there are  
14 any questions.

15 And this concludes the presentation, thank you.

16 CHAIRPERSON JONES: Any questions, members?

17 I will say that two of the city council members,  
18 the city manager and the folks that run their solid waste  
19 department for the city visited me, I think they visited  
20 other member offices. I'll just say I remain committed to  
21 some promises I made if they needed the help; so with that,  
22 Madam Chair?

23 COMMITTEE MEMBER MOULTON-PATTERSON: I would like  
24 to move to approve Resolution 2003-165, application for  
25 an SB 1066 time extension by the Town of Apple Valley,

1 San Bernardino County.

2 COMMITTEE MEMBER PEACE: Second.

3 CHAIRPERSON JONES: Got a motion by Chair

4 Moulton-Patterson, a second by Member Peace.

5 Wish to take the roll?

6 SECRETARY BAKULICH: Medina.

7 COMMITTEE MEMBER MEDINA: Aye.

8 SECRETARY BAKULICH: Moulton-Patterson?

9 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

10 SECRETARY BAKULICH: Peace?

11 COMMITTEE MEMBER PEACE: Aye.

12 SECRETARY BAKULICH: Jones?

13 CHAIRPERSON JONES: Aye.

14 Consent, Members?

15 Okay. So done.

16 DEPUTY DIRECTOR SCHIAVO: This is consideration of

17 the application for SB 1066 time extension by the City of

18 Banning, Riverside County.

19 Steve Sorelle will present this time.

20 MR. SORELLE: Good morning, Committee Members.

21 Board staff conducted a review of the City of

22 Banning's diversion programs and conducted a site visit

23 in 2002.

24 The City's diversion rate for 2000 is 44 percent.

25 The City has requested a time extension until

1 December 31st, 2004.

2 Staff's analysis of the City's request indicate,  
3 indicates that the application does provide enough  
4 information to adequately justify its SB 1066 request for  
5 a time extension. Based on this information, Board staff is  
6 recommending approval of the City's application as submitted  
7 for a time extension to the 2000 diversion requirement  
8 on the basis of its good-faith effort to date to implement  
9 diversion programs and its plans for future implementation.

10 The representative for the City is available  
11 to answer questions.

12 This concludes my presentation. Thank you.

13 CHAIRPERSON JONES: Any questions, Members?

14 This is one that's got 96-gallon recycling and  
15 green waste containers? Any idea what size the garbage  
16 container is?

17 THE WITNESS: I think it's 96.

18 CHAIRPERSON JONES: Okay. Not a problem. I mean,  
19 when that third container is 20, I got a problem with  
20 contamination.

21 All right.

22 Mr. Medina.

23 COMMITTEE MEMBER MEDINA: I'd like to move  
24 Resolution 2003-167, consideration of the application for  
25 a 1066 time extension by the City of Banning, Riverside



1 County.

2 COMMITTEE MEMBER PEACE: Second.

3 CHAIRPERSON JONES: Got a motion by Mr. Medina;  
4 a second by Ms. Peace.

5 Substitute the previous roll?

6 On consent?

7 Thank you, Members.

8 Next item.

9 DEPUTY DIRECTOR SCHIAVO: Okay. Items 52 and 64  
10 are linked and we'd like to hear Item 64 first and this is  
11 consideration of a request to change the base year to 2000  
12 for the City of South Pasadena.

13 And then Item 52 is consideration of the  
14 application for an SB 1066 time extension.

15 And Steve Uselton will present this item.

16 MR. USELTON: Good morning, Committee Members.

17 The City of South Pasadena submitted a request  
18 to change its base year from 1990 to the year 2000.

19 The City submitted a new base year change request  
20 with a diversion rate of 44 percent for the year 2000.  
21 And the original submittal included extrapolation of  
22 nonresidential diversion data.

23 As part of the base-year study review Board staff  
24 conducted a detailed analysis of the study and visited  
25 some of the larger areas of the city. With the help of

1 the Board's contracted status extension, the Board staff  
2 concluded that the extrapolation methodology employed in the  
3 City's base year study utilized an improper sampling  
4 methodology and an incorrect calculation methodology.

5 The extrapolated portion of the study was  
6 subsequently removed from the staff-recommended diversion  
7 rate calculation.

8 Changes proposed by Board staff can be seen  
9 in their entirety in Attachment 3 to this item.

10 With these changes the staff recommended diversion  
11 rate based on actual diversion for 2000 would be 33-percent.  
12 Major diversion programs in place include residential  
13 curbside collection of green waste and recyclable materials,  
14 commercial diversion and C&D materials recycled.

15 The agenda item has also been revised to include  
16 information on the city's environmental justice issues and  
17 that was recently received by staff.

18 Board staff is recommending Option 2 of the Agenda  
19 item which would approve the revised new base year with  
20 staff recommendations.

21 And a representative from the jurisdiction is  
22 available to answer questions on the item.

23 Going forward with the second item in  
24 consideration here is the time extension request for the  
25 City of South Pasadena.

1           The request is through December 31st, 2003.  
2   The specific reasons the City needs a time extension include  
3   observing the effectiveness of the City's change from  
4   source-separated curbside collection program using a three  
5   bin, 18-gallon collection system to a full MURF processing  
6   program for curbside-collected residential waste that was  
7   implemented in 2001.

8           The City also wishes to observe the effectiveness  
9   of the city's exclusive contract for roll-off services that  
10   was implemented in 2002. Roll-off loads will be processed  
11   through especially designed construction and demolition  
12   diversion lines at a MURF operated by the franchise-hauler  
13   to remove wood, cardboard, scrap metal, and concrete.

14           The City will also process -- the City will also  
15   direct residuals from the MURF processing to a  
16   transformation facility.

17           Through these programs the City anticipates  
18   a 17-percent increase in its diversion rate.

19           This agenda item was also revised to include  
20   recently received information on the City's environmental  
21   justice issues and efforts.

22           Board staff has determined that the information  
23   submitted in the application is adequately documented and  
24   based on this information, the Board staff is recommending  
25   that the Board approve the City's time extension request.

1 That concludes my presentation.

2 CHAIRPERSON JONES: Questions?

3 Mr. Medina.

4 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

5 I'd like to move Resolution 2003-183,  
6 consideration of a request to change the base year to 2000  
7 for the previously approved source reduction and recycling  
8 element for the City of South Pasadena, Los Angeles County.

9 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

10 CHAIRPERSON JONES: Got a motion by Member Medina;  
11 a second by Chair Moulton-Patterson.

12 Substitute the previous roll?

13 On consent?

14 Mr. Medina.

15 COMMITTEE MEMBER MEDINA: I'd like to move  
16 Resolution 2003-171, consideration of the application  
17 for a 1066 time extension by the City of South Pasadena,  
18 Los Angeles County.

19 COMMITTEE MEMBER PEACE: Second.

20 CHAIRPERSON JONES: Got a motion by Member Medina;  
21 a second by Member Peace.

22 Substitute the previous roll?

23 On consent?

24 Thank you, Members.

25 Mr. Schiavo.

1           DEPUTY DIRECTOR SCHIAVO: Item 55 is consideration  
2 of a request to change the base year to 2000 for the City of  
3 Lynwood, Los Angeles County; and Steve Uselton will present  
4 this item.

5           MR. USELTON: The City of Lynwood submitted  
6 a request to change their base year from 1990 to the year  
7 2000.

8           The City's study included a reporting year  
9 disposal deduction request for C&D waste generated by  
10 a large transportation project outside of the City's  
11 control. The City of Lynwood originally submitted a new  
12 base year change request with a diversion rate of 14 percent  
13 for the year 2000. As part of the base-year study review  
14 Board staff conducted a detailed site visit of the top 10  
15 diverters in the city. In the C&D disposal deduction  
16 requirement.

17           Changes proposed by Board staff can be seen  
18 in their entirety in Attachment 3 to this item.

19           With these changes the staff recommended diversion  
20 rate for 2000 would be 12 percent.

21           Major programs implemented by the City during  
22 the year 2000 were residential curbside collection,  
23 commercial diversion, and C&D materials recycling.

24           Board staff is recommending Option 2 of the agenda  
25 item which would approve the revised base year with staff

1 recommendation.

2 Board staff has provided the city with a 60-day  
3 notice to confer regarding issuance of a compliance order  
4 dated January 10th, 2003.

5 Board staff will prepare an agenda item for a  
6 future meeting recommending a compliance order be considered  
7 for the City of Lynwood.

8 Representatives from the jurisdiction are present  
9 to answer any questions.

10 CHAIRPERSON JONES: Any questions, Members?

11 Okay. Motion.

12 COMMITTEE MEMBER MOULTON-PATTERSON: I'll do this  
13 one.

14 CHAIRPERSON JONES: Okay.

15 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to  
16 move approval of Resolution 2003-172 -- what?

17 CHAIRPERSON JONES: -74.

18 COMMITTEE MEMBER MOULTON-PATTERSON: -- 174.

19 Got the wrong one. Excuse me.

20 Consideration of a request to change the base year  
21 to 2000 for the previously approved source reduction and  
22 recycling element for the City of Lynwood, Los Angeles  
23 County.

24 Thank you.

25 COMMITTEE MEMBER MEDINA: Second.

1           CHAIRPERSON JONES: Got a motion by Chair  
2 Moulton-Patterson; a second by Mr. Medina.

3           Substitute the previous roll?

4           On consent?

5           Thank you, Members.

6           Can I ask a question on this one before we go?

7           You're going to have to submit the compliance  
8 order because it's under 25 percent as opposed to a 1066,  
9 right, is that --

10          MR. USELTON: Due to the rate and also the program  
11 implementation, using a variety of looks at the rate  
12 information suggests a need for this.

13          CHAIRPERSON JONES: Okay. All right.

14          Next item.

15          DEPUTY DIRECTOR SCHIAVO: Okay. Item No. 56 is  
16 consideration of a request to change the base year for the  
17 previously approved item for San Bernardino County; and this  
18 is Rebecca Brown presenting.

19          MS. BROWN: In early 2000, the City of Twenty-Nine  
20 Palms annexed a portion of the Marine Corps Air/Ground  
21 Combat Center military base, which was formerly in the  
22 unincorporated area of San Bernardino County.

23          At its February meeting the Board approved  
24 a base-year correction to transfer or add the base-year  
25 generation tonnage to the City of Twenty-Nine Palms.

1           This item is a request to deduct the portion of  
2   the tonnage coming from the now-incorporated Twenty-Nine  
3   Palms area of the military base from the unincorporated  
4   County's base year.

5           Board staff believes that this correction is only  
6   a transfer of data and not a change to the generation  
7   tonnage based on new or additional tonnage and requests that  
8   this transfer of data be allowed as an exception to the  
9   conditions for the correction of 1990-and-later base years.

10          Based on this information, Board staff recommends  
11   the Board adopt Option 1, which would approve the corrected  
12   base year for the unincorporated area of San Bernardino  
13   County.

14          This concludes my presentation and I would be  
15   happy to answer any questions.

16          CHAIRPERSON JONES: Any questions, Members?

17          Motion.

18          COMMITTEE MEMBER MOULTON-PATTERSON: I'd like  
19   to move approval of Resolution 2003-175 and that would be  
20   revised, right, or the resolution is not revised?

21          CHAIRPERSON JONES: The resolution stayed  
22   the same, I think.

23          COMMITTEE MEMBER MOULTON-PATTERSON: Okay.  
24   So just 2003-175, request to correct base year to the  
25   previously approved source reduction and recycling element



1 for the unincorporated area, San Bernardino County.

2 COMMITTEE MEMBER MEDINA: Second.

3 CHAIRPERSON JONES: Motion by Chair

4 Moulton-Patterson; a second by Member Medina.

5 Substitute previous roll?

6 On consent?

7 Thank you, members.

8 Next item.

9 DEPUTY DIRECTOR SCHIAVO: Item 57 is consideration  
10 of a request to change the base year to 2000 for the  
11 previously approved source reduction recycling element and  
12 consideration of the 1999/2000 biennial review findings for  
13 the City of Davis and Yolo County; and Caroline Sullivan  
14 will present this item.

15 MS. SULLIVAN: Good morning.

16 The City's new base year change request  
17 as submitted had a diversion rate of 57 percent for the year  
18 2000. The study included extrapolation of diversion tonnage  
19 in the nonresidential sector from a sample of businesses  
20 within the city.

21 Contract statisticians and Board staff reviewed  
22 the extrapolation methodologies and determined that the  
23 sampling methodologies used in the extrapolation did not  
24 meet statistical requirements for conducting random surveys.

25 In addition, Board staff believes the

1 extrapolation calculation was performed using a number of  
2 employees from a list that includes approximately 978  
3 businesses located outside city limits.

4 Board staff therefore recommends that the  
5 additional diversion from extrapolation not be allowed in  
6 the new base-year request. As part of the new base year  
7 study review, Board staff conducted a detailed site visit  
8 for the city. Board staff-recommended changes can be seen  
9 in Attachment 3 of the agenda packet in their entirety.

10 With Board staff-recommended changes, the city's  
11 diversion rate is 47 percent for the proposed 2000 new  
12 base-year study.

13 The city is also claiming biomass for the year  
14 2000, which will add 1 percent to their diversion rate  
15 giving them a new diversion rate of 48 percent for the year  
16 2000.

17 A letter from the city staff was recently  
18 distributed to the Board members and I'd like to go over  
19 those issues now in the staff response.

20 The city asserts the remaining study information  
21 not invalidated by the sampling does not represent a  
22 realistic diversion number for the city. Board staff firmly  
23 believed the staff recommended rate is not missing any large  
24 diversion tonnage amounts. While the extrapolated recycling  
25 tonnage was deducted, staff used more accurate information

1 from actual tonnage reports that were provided by the city's  
2 franchise hauler, exclusive franchise hauler. And while  
3 staff deducted extrapolated composting tonnage, in addition  
4 to the numerous errors in samplings staff believed it was  
5 inappropriate to extrapolate composting activities from  
6 businesses that produce material to be composted such as  
7 grocery stores to businesses that do not produce compostable  
8 material such as offices or banks.

9           Staff deducted extrapolated source reduction  
10 tonnage, but included in the staff recommended rate source  
11 reduction activities that were quantified through surveys of  
12 the city's 234 businesses. Staff was unable to identify any  
13 large businesses or businesses that would predictably have  
14 large amounts of source reduction that were missed as part  
15 of the survey process.

16           One issue the city raised in their letter is that  
17 they did not state the old diversion number was not accurate  
18 and did not reflect the diversion in the City. And I  
19 believe that staff made that assertion in the agenda item  
20 based on the inclusion in the city's certification form that  
21 the original SHRE calculation was based on a total of just  
22 17 samples using data whose quantity and quality were  
23 adequate for conditions existing then but not for current  
24 circumstances.

25           The city asserts the key reason for the difference

1 in diversion rates is more accurate data collection in the  
2 current study. Board staff assert the survey data on 234  
3 businesses was collected appropriately and that the sample  
4 includes the vast majority of large generators within the  
5 city.

6 Board staff do not believe the major, any major  
7 diversion activities were missed or that a completely new  
8 study would uncover major diversion tonnage not already  
9 identified.

10 Board staff believe that extrapolated tonnage was  
11 flawed and inaccurate, but that the actual survey diversion  
12 data represents the vast majority of diversion activities  
13 within the city of Davis. Out of 756 total businesses, 630  
14 have 10 employees or less, so staff does not believe there's  
15 a significant amount of source reduction missing from the  
16 study. Of the 126 businesses with 10 or more employees,  
17 84 were surveyed and source reduction tonnages included in  
18 the staff recommended calculation from those businesses.

19 Finally, two teams of Board staff visited the city  
20 in an attempt to identify businesses that weren't surveyed  
21 that might predictably generate large source reduction  
22 tonnages and were unable to locate any such businesses.

23 Board staff did identify a few diversion  
24 activities not included in the study that could have  
25 potentially increased the city's diversion rate, but the

1 city declined assistance in gathering this data.

2 Staff therefore recommends the Board adopt  
3 Option 2, approve the revised base year change with staff  
4 recommendation and accept staff's 1999/2000 biennial review  
5 findings. The city has adequately implemented its HHWE and  
6 has made a good faith effort to implement its SHRE to meet  
7 the diversion requirements and approve the city's biomass  
8 diversion claim.

9 And it appears that city representatives are not  
10 present to answer any questions.

11 This concludes my presentation.

12 CHAIRPERSON JONES: Any questions, members?

13 I have just a couple of things. Tracy Limberg  
14 is in the -- I think I said that right --

15 MS. LANDBERG: It is Landberg.

16 CHAIRPERSON JONES: Landberg -- I'm sorry, it was  
17 a while ago that we met -- is in the audience. She's the  
18 actual person that did the work on the ground, she is not  
19 the person that designed the survey. And I think there is a  
20 clear distinction that needs to be made that, as you just  
21 said, it looks like all the data from the actual work was  
22 accurate, the survey was flawed. I mean, when you include  
23 960 businesses that don't even exist, it begs the question,  
24 we approved either last month or the month before  
25 surrounding jurisdictions that were all done I think at the

1 same time.

2           So the fact that these didn't, that this is  
3 impacted in one direction those other jurisdictions may have  
4 a ripple effect while we approve them, you know, you need to  
5 look at making sure that those numbers aren't skewed as a  
6 result of disallowing some of these. Because that waste has  
7 got to go somewhere, unless it was just extrapolation that  
8 created imaginary generation. What a term.

9           (Laughter.)

10           MS. SULLIVAN: Well, each of the jurisdictions in  
11 Yolo County has turned, submitted a new base year. Davis is  
12 the only extrapolated, so we feel that the unincorporated  
13 area which includes actually offices on the university  
14 campus that were included in this calculation we feel that  
15 we're sound in that jurisdiction rate.

16           CHAIRPERSON JONES: All right. Because I know  
17 that, I know that Paul Geisler (phonetic spelling) and Paul  
18 Hart do an incredible job with the programs that they do.  
19 And I know Tracy has said that she wants to do whatever it  
20 takes to get this thing right. So hopefully it looks like  
21 the revised stuff you gave us you picked up another 1200  
22 tons.

23           Are there any other questions by members?

24           I'll move adoption of resolution 2003-176  
25 consideration of a request to change the base year to 2000

1 for the previously approved source reduction recycling  
2 element in consideration of the 1999/2000 biennial review  
3 finding for the source reduction and recycling element and  
4 household hazardous waste element to find good faith effort  
5 for the city of Davis in Yolo County.

6 COMMITTEE MEMBER MEDINA: Second.

7 CHAIRPERSON JONES: All right. Members,  
8 substitute previous roll?

9 On consent?

10 Thank you, members. Thank you, staff. Thank you  
11 Ms. Landberg.

12 And then obviously you guys are going to continue  
13 to have dialogue with the city. I feel bad for the city, I  
14 feel bad for Ms. Landberg, that if there's anything there  
15 there may not be, but hopefully we'll continue to try to  
16 make this right because they do a great job in Davis.

17 All right. Next item.

18 DEPUTY DIRECTOR SCHIAVO: Item number 60 is  
19 consideration of a request to change the base year to 1999  
20 and consideration of the 1999/2000 biennial review findings  
21 for the city of Watsonville, Santa Cruz County. Terri  
22 Edwards will present this item.

23 MS. EDWARDS: Good morning, chairman and committee  
24 members.

25 The city of Watsonville originally submitted its

1 new base year change request with a diversion rate of 66  
2 percent for 1999. As part of the base year study review,  
3 Board staff conducted a detailed site visit. As a result,  
4 staff recommends both deductions and additions for a revised  
5 1999 diversion rate of 67 percent.

6 Staff's recommended changes can be viewed in  
7 detail in attachment 3 of this item.

8 Board staff has determined that the city has  
9 adequately documented the information claimed in their new  
10 base year request.

11 Based on this information, Board staff is  
12 recommending option 2 for the city which would approve the  
13 revised new base year with staff recommendations.

14 Staff also conducted a 1999/2000 biennial review  
15 for the city of Watsonville including a site visit in 2001.

16 Should the Board choose to accept option 1, which  
17 would approve the revised new base year with staff  
18 recommendations, the diversion rate would be 67 percent for  
19 1999 and 66 percent for 2000.

20 Staff found the jurisdiction has adequately  
21 implemented the source reduction recycling, composting,  
22 public education, and information programs as outlined in  
23 their source reduction recycling element and their household  
24 hazardous waste element.

25 Because the city has demonstrated adequate



1 implementation of their SHRE and HHWE and has met the  
2 50 percent diversion requirement, staff recommends the Board  
3 approve the staff's biennial review finding for the city of  
4 Watsonville.

5 A representative from the city of Watsonville is  
6 available to answer any questions and this concludes my  
7 presentation.

8 Thank you.

9 CHAIRPERSON JONES: Any questions, members?

10 Ms. Peace.

11 COMMITTEE MEMBER PEACE: I would like to move  
12 resolution number 2003-179 consideration of a request to  
13 change the base year to 1999 with the previously approved  
14 source reduction and recycling elements in consideration of  
15 the 1999/2000 biennial review findings for the source  
16 reduction and recycling elements and household hazardous  
17 waste elements for the city of Watsonville, Santa Cruz  
18 County.

19 COMMITTEE MEMBER MEDINA: Second.

20 CHAIRPERSON JONES: I got a motion by Board Member  
21 Peace, a second by Board Member Medina.

22 Substitute the previous roll?

23 On consent?

24 Thank you, members.

25 Next item.

1           DEPUTY DIRECTOR SCHIAVO: Item 61 is consideration  
2 of a request to change the base year to 2000 and  
3 consideration of the 1999/2000 biennial review findings for  
4 the City of Gilroy in the County of Santa Clara.

5           And Kathy Davis will present this item.

6           MS. DAVIS: Good morning. The City of Gilroy  
7 originally submitted a new base year change requesting a  
8 diversion rate of 59 percent for 2000. As part of the base  
9 year study review, staff conducted a detailed site visit.  
10 The site visit resulted in several changes to the claimed  
11 diversion.

12           Board staff proposed changes are discussed in  
13 their entirety in attachment 3.

14           With board staff's recommended changes to the new  
15 base year, the City's diversion rate would be 49 percent for  
16 2000.

17           Some of the major programs the city has  
18 implemented include residential curbside recycling  
19 collection, residential curbside green waste collection,  
20 local government facility and school source reduction and  
21 recycling programs, commercial on-site collection program  
22 for recycling and green waste and concrete and asphalt  
23 diversion.

24           Board staff recommends the Board adopt option  
25 number 2 to approve the revised base year change with staff

1 recommendations and accept staff's 1999/2000 biennial review  
2 findings.

3 That the city has adequately implemented its HHWE  
4 and has made a good faith effort to implement it's SHRE to  
5 meet the diversion requirements.

6 City representatives are present to answer any  
7 questions.

8 Thank you.

9 CHAIRPERSON JONES: Questions, members?

10 Just one. On the -- I'm a little familiar with  
11 this one. On the garlic and onion stuff --

12 MS. DAVIS: Yes.

13 CHAIRPERSON JONES: -- when you say corporate  
14 records, records of the, of the processor or records of the  
15 hauler?

16 MS. DAVIS: No, they were -- both, actually. We  
17 had both in different, for the -- no, they were corporate  
18 records from the company itself.

19 CHAIRPERSON JONES: Which company, processor or  
20 hauler?

21 MS. DAVIS: The processor.

22 CHAIRPERSON JONES: Okay. That's fine. Because  
23 that used to fluctuate a little bit. I mean, you'd run  
24 trucks like crazy and then sometimes it wasn't quite as many  
25 and I just wanted to know what corporate records when I saw

1 the note.

2 Members.

3 Mr. Medina.

4 COMMITTEE MEMBER MEDINA: I'd like to move  
5 resolution 2003-1A consideration of a request to change the  
6 base year to 2000 for the previously approved source  
7 reduction and recycling element, consideration of the  
8 1999/2000 biennial review findings for the source reduction  
9 and recycling elements and household hazardous waste element  
10 for the City of Gilroy, County of Santa Clara.

11 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

12 CHAIRPERSON JONES: Motion by Board Member Medina,  
13 second by Board Chair Moulton-Patterson.

14 Substitute the previous roll?

15 On consent?

16 Thank you, members.

17 Next item.

18 DEPUTY DIRECTOR SCHIAVO: Item 62 is consideration  
19 of a request to change the base year to 2000 and  
20 consideration of the 1999/2000 biennial review findings for  
21 the City of Camarillo, Ventura County. And Tara Gautheir  
22 will present this item.

23 CHAIRPERSON JONES: Oh, missing pages. Okay.

24 I thought it was me. Go ahead.

25 MS. GAUTHIER: Good morning again committee

1 members.

2           The City of Camarillo has requested to change its  
3 base year to 2000 with a diversion rate of 57 percent that  
4 included statistical methods to extrapolate the  
5 nonresidential diversion from a sample of businesses within  
6 the city.

7           Contract statisticians as well as --

8           CHAIRPERSON JONES: It's easy for you to say.

9           MS. GAUTHIER: -- reviewed the extrapolation  
10 methodologies and determined that the sampling methodologies  
11 used in the extrapolation did not meet the statistical  
12 requirements for conducting random surveys.

13           Board staff therefore recommends that the  
14 additional diversion from extrapolation not be allowed in  
15 the new base year request.

16           As part of the new base year study review, board  
17 staff conducted a detailed site visit for the city.  
18 Recommended changes can be seen in attachment 3 of the  
19 agenda item packet.

20           With staff recommended changes, the city's  
21 diversion rate would be 48 percent for 2000.

22           Staff also conducted a 1999/2000 review of the  
23 city's SHRE and found that the programs have been  
24 successfully implemented.

25           Some of the major diversion programs the city has

1 implemented include curbside collection of recyclables for  
2 single-family residences in 1991, and collection of green  
3 waste since 1996. Recycling at all of the city's public  
4 K through 12 schools, special event recycling. The city has  
5 also passed ordinances prohibiting green waste disposal,  
6 requiring recycling or reuse of construction and demolition  
7 waste, requiring recycling containers adjacent to every  
8 multi-family trash bin in the city of which includes 4500  
9 multi-family residents. And the City has also restructured  
10 its commercial recycling program to offer more financial  
11 incentives to businesses.

12 Staff has also conducted a 1999/2000 biennial  
13 review of the city's HHWE implementation and found that the  
14 programs have been successfully implemented.

15 Staff therefore recommends that the board approve  
16 the revised base year change with staff recommendations and  
17 accept staff's 1999/2000 biennial review findings that the  
18 city has adequately implemented its HHWE and made a good  
19 faith effort to implement it's SHRE to meet diversion  
20 requirements.

21 I don't believe a representative from the city is  
22 here, so staff would be happy to answer any questions.

23 CHAIRPERSON JONES: Mr. Medina.

24 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

25 I'd like to move resolution 2003-181 consideration

1 of a request to change the base year to 2000 for the  
2 previously approved source reduction and recycling element  
3 in consideration of the 1999/2000 biennial review findings  
4 for the source reduction and recycling element and household  
5 hazardous waste element for the City of Camarillo, Ventura  
6 County.

7 COMMITTEE MEMBER PEACE: Second.

8 CHAIRPERSON JONES: I've got a motion by Board  
9 Member Medina, and a second by Board Member Peace.

10 Substitute the previous roll?

11 On consent?

12 Mr. Schiavo, between now and the next couple of  
13 days, could you -- there's an attachment missing from our  
14 packets here that we, I'd like to have. I'd like to review  
15 it in case there's an issue that, you know, no big deal,  
16 it's just something missing.

17 All right.

18 Item Number 63, AD.

19 DEPUTY DIRECTOR SCHIAVO: Okay. Steve Uselton  
20 will present this item and it's consideration of a request  
21 to change the base year to 2000 for the city of Redondo  
22 Beach, Los Angeles County.

23 MR. USELTON: The City of Redondo Beach submitted  
24 a request to change their base year from 1990 to 2000. The  
25 city submitted a new base year change request with a

1 diversion rate of 37 percent for 2000. The city's study  
2 included extrapolation of nonresidential diversion data.

3 As part of the base year study review, Board staff  
4 conducted a detailed review of the study and visited some of  
5 the larger diverters in the city. With the help of the  
6 Board's contracted statistician, Board staff concluded that  
7 the extrapolation methodology employed in the city's new  
8 base year study did not result in data with the  
9 statistically, which was statistically representative of the  
10 nonresidential diversion within the city.

11 Changes proposed by Board staff can be seen in  
12 their entirety in attachment 3 to this item.

13 With these changes, the staff recommended  
14 diversion rate based on actual diversion for 2000 would be  
15 24 percent. With transformation credit available to the  
16 city in 2000, the 2000 diversion rate would be 28 percent.

17 The major programs in the city implemented during  
18 2000 were residential curbside collection of green waste and  
19 recyclable materials, commercial diversion, and C&D material  
20 recycling.

21 The agenda item has been revised to include  
22 recently received information on the city's environmental  
23 justice issues and efforts.

24 Staff have encountered repeated delays in  
25 receiving documentation associated with the city's new base



1 year study request. The city as late as yesterday presented  
2 new information related to 7,000 tons of C&D diversion.

3 Staff are not able to schedule time to verify this  
4 tonnage in order to make a recommendation to the Board at  
5 today's meeting. The Board staff will review the  
6 information and if it can be included in a corrected base  
7 year will be brought to the Board in a future meeting.

8 Staff also note that the jurisdiction was sent a  
9 letter on February 7th offering assistance to the city in  
10 preparing a time extension request, and to confer with the  
11 city on a possible compliance order intent notification if  
12 the application were not submitted to Board staff within  
13 60 days.

14 Board staff is recommending option 2 of the agenda  
15 item, which would approve the revised new base year with the  
16 staff recommended changes.

17 I do not recognize anyone in the office -- I'm  
18 sorry, in the audience from the city.

19 That concludes my presentation.

20 CHAIRPERSON JONES: Madam chair.

21 COMMITTEE MEMBER MOULTON-PATTERSON: All right.  
22 If there are no questions, I'd like to move this. And I  
23 would like to note that I saw firsthand that the city worked  
24 very closely with their businesses and they were the  
25 recipient of a RAP award at a (inaudible) hotel, I believe,

1 and the Mayor was present and a lot of enthusiasm with the  
2 business community and elected officials.

3 So with that, I'd like to move approval of  
4 resolution 2003-182 a request to change the base year to  
5 2000 for the previously approved source reduction and  
6 recycling element and household hazardous waste element for  
7 the City of Redondo Beach, Los Angeles County.

8 COMMITTEE MEMBER PEACE: Second.

9 CHAIRPERSON JONES: Got a motion by Chair  
10 Moulton-Patterson, a second by Member Peace.

11 Substitute the previous roll?

12 On consent?

13 This is yet another one where the extrapolation  
14 was flawed because of the sample, the outlines of the sample  
15 did not remove it, were nonresponders, or is that -- I mean  
16 we've got some existing, there's been an existing work here  
17 of trying to analyze what's in this generation study, has it  
18 been flawed all the way a long?

19 MR. USELTON: In this case we did not receive what  
20 we thought was a statistically representative grouping. The  
21 sample had not been randomly selected and that was brought  
22 to light at a meeting with both the consultant and the city.

23 CHAIRPERSON JONES: Okay. We're going to have to  
24 figure out a way to put out a notice, to give kind of a  
25 report card of some of the activities that haven't been

1 denied and get it to all these cities. We don't have to  
2 identify the city, but we do have to identify where the  
3 flaws are in the system so that they're aware of it.

4 I mean, these cities are paying good money to get  
5 this work done and when you start using an extrapolation  
6 method that flaws the system, because they go after the  
7 biggest generators and try to extrapolate that out of a  
8 nonrepresentative base it just drives the number up and it's  
9 just costing these cities not only money it's got to be  
10 costing them untold grief.

11 That somehow, if it's okay, I mean we need to  
12 figure out a way to send out a report card after we get  
13 through this process to just kind of highlight where some of  
14 the issues were without necessarily identifying who the  
15 people were or whatever.

16 I mean, we'll have to talk about it. But the  
17 cities have to be better prepared to understand what's going  
18 on here and this, this is not good.

19 DEPUTY DIRECTOR SCHIAVO: I believe in May we were  
20 talking about doing a comprehensive item on what our  
21 observations were over this entire process the last few  
22 years and what we've seen in some of the, you know, the  
23 benefits, you know, some of the pitfalls and just a  
24 comprehensive analysis of what the extrapolations have  
25 brought forward. Looking at, you know, the magnitude of the

1 top 20 businesses if those were done as opposed to  
2 extrapolating over entire sectors. And we did, you know, a  
3 mini version of that a couple of months ago. It was pretty  
4 revealing.

5 CHAIRPERSON JONES: We've got to get it out to the  
6 cities.

7 And we've had some people who have done  
8 extrapolations that were dead on.

9 DEPUTY DIRECTOR SCHIAVO: Exactly.

10 CHAIRPERSON JONES: But it's one that can be  
11 flawed.

12 Okay. Sorry about that.

13 Oh, Madam Chair, Ms. Peace.

14 COMMITTEE MEMBER PEACE: When the city hires these  
15 consultants to do these studies, does the Board ever see the  
16 study before it's done or you just see it like when it's  
17 done?

18 DEPUTY DIRECTOR SCHIAVO: Sometimes you see it  
19 when it's done, sometimes you will see it up front. But the  
20 problem with that is you see a theoretical approach and you  
21 don't know what the application of that theoretical approach  
22 is going to look like. And so that's where things really  
23 veer, because a lot -- you know, on some of these we've been  
24 told a term of about a year that oh, it's a random sample on  
25 and on and on and then all of a sudden before we start

1 agendizing these we start hearing other information that oh,  
2 no, we only sampled the largest through the smallest.

3 And so then we start following up with further  
4 questions and we start unveiling more information. So even  
5 if you do see what the theoretical approach looks like you  
6 don't know how it was applied.

7 CHAIRPERSON JONES: All right. Our last item.

8 DEPUTY DIRECTOR SCHIAVO: Okay. Items 65 is a  
9 consideration of the 1999/2000 biennial review findings for  
10 household hazardous waste element for a whole bunch of  
11 jurisdictions. I'll just leave it that way.

12 When -- after Steve Sorelle does a presentation,  
13 obviously, rather than going through all these you can just  
14 refer to those jurisdictions listed in Item Number 65.  
15 Unless you want to.

16 Okay. Steve will present.

17 MR. SORELLE: Good morning, committee members.  
18 This item presents board staff's biennial review findings  
19 for the household hazardous waste element for the 1999/2000  
20 biennial review period for jurisdictions who have come  
21 before this board in previous meetings for review and  
22 approval of SB 1066 requests, new base year studies and a  
23 biennial reviews that pertain to source reduction and  
24 recycling elements only.

25 Staff review indicates that these jurisdictions

1 have adequately complied with the implementation  
2 requirements of PRC section 41850 by successfully  
3 implementing household hazardous waste programs within their  
4 respective jurisdictions. For this reason staff is  
5 recommending approval of the 1999/2000 biennial review  
6 findings for the household hazardous waste elements for  
7 these jurisdictions.

8 This concludes my presentation.

9 CHAIRPERSON JONES: You're not going to read these  
10 all into the record?

11 Okay. Who wants to make a short motion?

12 Mr. Medina.

13 COMMITTEE MEMBER MEDINA: I'd like to move  
14 resolution 2003-184 consideration of the 1999/2000 biennial  
15 review findings for the household hazardous waste element  
16 for the jurisdictions contained in this document.

17 (Laughter.)

18 COMMITTEE MEMBER MOULTON-PATTERSON: Second that.

19 CHAIRPERSON JONES: All right. We have a motion  
20 by Board Member Medina, second by Board Chair  
21 Moulton-Patterson.

22 Substitute the previous roll?

23 On consent?

24 All right. This is our time for the public if  
25 they have anything that they would like to speak to.

1 Nobody.

2 All right. Staff, thank you for a good job.

3 Members, thanks for being prepared. Obviously the time you  
4 spend preparing for these agenda items pays off when we can  
5 get through a meeting this quickly.

6 Appreciate it. We're done.

7 (Meeting concluded at 11:30 a.m.)

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1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER  
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5

6 I, DANA M. FREED, a Certified Shorthand  
7 Reporter for the State of California, duly appointed and  
8 commissioned to administer oaths, do hereby certify:

9 That I am a disinterested person herein; that  
10 the hearing was reported in shorthand by me, Dana M. Freed,  
11 a Certified Shorthand Reporter of the State of California,  
12 and thereafter transcribed into typewriting.

13 IN WITNESS WHEREOF, I have hereunto set my  
14 hand as Certified Shorthand Reporter on this 25th day of  
15 March, 2003.

16  
17  
18 DANA M. FREED, CSR NO. 10602  
19 State of California  
20  
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